The Washington Monthly

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MOLLY IVINS ON THE RAGIN' CAJUN

NICHOLAS LEMANN ON GETTING INTO PRINCETON

HOW TO SAVE THE PUBLIC SCHOOLS

(BEFORE IT'S TOO LATE)

BY JOSHUA WOLF SHENK

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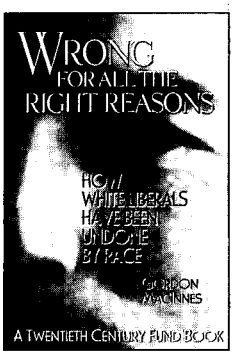

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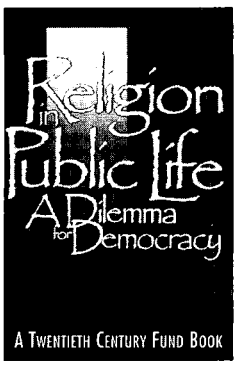

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Volume 28, Number Three March 1996

The Washington Monthly

4 Tilting at Windmills *by Charles Peters*
The *Post*'s electric car ... The *Times*'s olive oil ...
UPS's speed-up ... Hillary's congenitals ... and other odds and ends....

8 The Public Schools' Last Hurrah? *by Joshua Wolf Shenk*
Without quick and decisive change, it could be. A five-point plan to save the schools before it's too late.

19 Presumed Guilty *by Joseph C. Kennedy*
To racist police, innocence is no defense.

26 The Senator, The Judge, His Wife, and The Coverage *by George Clifford III*
Hillary and Bill aren't the only ones with some explaining to do in the Whitewater saga.

29 The Murder of *New York Newsday* *by Sydney H. Schanberg*
How Wall Street's obsession with the bottom line killed one good newspaper—and threatens others.

40 What If We Held an Election and Nobody Came? *by Phil Keisling*
Voter turnout is plummeting. How vote-by-mail reverses the trend.

ON POLITICAL BOOKS

42 Go Team! *by Molly Ivins*
Coach Carville gives liberals a rousing pep talk.

44 Making It, Part 2 *by Nicholas Lemann*
Inside the Ivy League admissions game.

49 Prelude to a Disaster *by Charles W. Bailey*
The young reporters tried to tell the truth about Vietnam—but was anybody listening?

52 Political Booknotes *Reviews by Jeffrey Birnbaum, Matthew Cooper, Philip K. Howard, and Patricia Cohen*

DEPARTMENTS

2 Letters
18 Tidbits and Outrages
22-3 Monthly Journalism Awards
28 Memo of the Month
38 Who's Who
43 Political Book Award
60 Political Puzzle

Cover art by John Borruso

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Letters

Divorced From Reality

In his contribution to "The Missing Issues" ("The Case Against Divorce," January/February), Steven Waldman misses the point. He argues, correctly, that divorce is all too common in our society.

But Waldman throws in the towel far too easily. Seemingly more concerned about minimizing the pain of divorce than dealing squarely with its root causes, he all but encourages couples to hurry up and get divorced before they have children—as though divorce were inevitable in marriage. This suggests that children are more of a liability than a blessing and that marriage vows are as solemn as campaign promises. Whether children are involved or not, marriages need to be nurtured, not disbanded.

If some couples spent as much energy trying to work their problems out together as they do preparing to fleece each other, perhaps we all would be better off. In fact, I was surprised that Waldman didn't take the opportunity to rebuke divorce lawyers who contribute mightily to the adversarial tenor that rips apart couples—a natural target for the *Monthly*.

Douglas Loynes
Indianapolis, IN

Closing the Doors

Nice try, Nicholas Lemann, but no dice. Probably 90 percent of his article ("Open the Doors to College," January/February) seems to boost the idea of universal education. Then, in the last paragraph, we're told that's not what he was talking about after all! He acknowledges the near-truism that in the U.S. one needs a college education to get a well-paying job—to "succeed." He then spends the next four paragraphs telling readers that access to higher education is expected but stymied by rising tuition costs and tighter money. He concludes by telling us that all the preceding wasn't a call for universal higher education. Rather, it was a call for "universal access to higher education for those with the demonstrated ability and drive to get something out of it."

He's writing a recipe for further alienation, if not massive social disruption. What high school student would not want to go on to college—even if unqualified—if told both directly and subliminally that you can't be a success without going to college? You can't have it both ways. Either students will be embittered for being turned away or disillusioned, depressed, or worse if they're allowed in and then flunk out. If a college education is truly necessary, we can't in good conscience deny it to anyone. If it's not necessary, we must stop telling people it is, and create a society in which it's possible to be successful without higher education.

Andrew Webb
San Diego, CA

Busting Out

I enjoyed reading about the upcoming presidential campaign's missing issues, especially the contribution of my favorite writer, Joe Nocera. His article ("Bust the Teacher's Unions," January / February) made me think about my 28 years as a member of a teachers' union. The town in which I worked had a reputation for excellence in education, but it was not all smooth sailing.

Administrative demands were sometimes unreasonable, and unionized reaction was our only protection. On the other hand, there were times when our union leaders went overboard. Overall, however, I know that what I was able to achieve professionally was due, in large measure, to the union's active concern for an atmosphere conducive to student and teacher well-being. Busting the unions is no more of a solution than busting the school boards associations or the administrators organizations. Working together is the way.

Rosalie D. Nocera
Providence, RI

Your constant attacks on teachers' unions have finally moved me to respond. In my 33 years as a suburban New York public school teacher, I have seen some mediocre and even incompetent teachers protected by seniority and tenure rules. Yes, it should be easier to get rid of the incompetents. Yes, the certification procedures have no relationship to the ability to teach. But there is another side to the issue.

At times I have been openly critical of the administrators and school board in my district. I have also raised many controversial topics in my social studies classes that have offended some members of the community. Without the backing of a strong local union chapter as well as a strong state union, I would have been at the mercy of the sometimes incompetent and always timid administrators who have "led" our district. Also, my attempts to make my students think critically would have led to my ouster from the high school by some members of the community and their representatives on the school board if tenure laws did not exist. This

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may be a sad commentary on society, but for teachers who want to challenge students to think and who want to criticize the incompetents who run many schools, unions are needed to protect their academic freedom and the freedom of speech.
Jim Turnbull
Mahopac, NY

So striking are the inaccuracies in Joseph Nocera's essay that his tortured labor bashing and shameless nepotism seem secondary by comparison. With apparently no investigation beyond his brother's account, Nocera slanders the entire faculty at Hope High School by claiming his sibling's volunteer time was historically unique among the 85 faculty members at the school and "his willingness to go the extra mile ... did not endear him to his fellow teachers. Over the years, my brother was slowly frozen out." No teachers from the school attended his wedding, notes the columnist.

For starters, Dominic Nocera's donated time, while commendable, did not come close to the unpaid hours put in by numerous other teachers at the school. And, in nine years of teaching at Hope High, I've noted only appreciation and encouragement among colleagues for those who contribute time and energy outside the classroom. Not once have I heard criticism expressed.

Joseph Nocera's wrath is really reserved for the teachers' union, which he reports maintains lockstep control over its members and orders the ostracism of any teacher who puts in time "absolutely not required under terms of the teachers' union contract." Rubbish. Having taught in several states before Rhode Island (including seven years in the non-union state of Arkansas), I can only say I've seen more teacher volunteer time in the unionized locations than in the non-union settings.

What's laughable is the writer's portrait of local teachers as lackeys who, through some undisclosed conduit, receive explicit union instructions to work as little as possible and to "freeze out" designees who dare defy the party line. The reality at our large urban high school is that there's a high turnover in instructional staff, most faculty members would be hard pressed to even name half their colleagues, and only a handful of teachers attend monthly city union meetings.
Michael Barr
Communications Media Teacher
Hope High School, Providence, RI

Joseph Nocera replies: Well, when your own mother writes a letter to the editor refuting your article, it's usually a pretty good sign that you need to eat some crow. So here goes. I was wrong—boy was I ever!—in claiming that the other teachers at Hope High School resented my brother Dominic for starting a chess club in his spare time. As I have since learned from more sources than I care to count (including my brother), the chess club was a source of pride for everyone at the school, teachers included.

For Mr. Barr notwithstanding, my brother was *frozen out, and the issues absolutely revolved around the union. After the school superintendent decreed that teachers would be given carte blanche to restructure the school as they saw fit—on the theory that they were in the best position to know what their students needed—numerous meetings were held to figure out how to improve the school. But my brother saw these meetings quickly degenerate into pointless gripe sessions, and no restructuring ever took place. "The union strategy," my brother told me recently, "was to minimize the work required of teachers." Dominic had no patience for these tactics and eventually he said so out loud. The last time I talked to him about this, he gave me his own prescription for the crisis in our public schools: lower base salaries for teachers, but include hefty bonuses and incentives based on classroom performance. Is it any wonder that he and the teachers of Hope High were not on speaking terms at the end?*

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Tilting at Windmills

I agree with those who think William Safire went way too far when he called Hillary Clinton "a congenital liar." Of the alternatives that have been suggested, I like "congenital fudger," but "congenital lawyer" seems even better....

Safire, on the other hand, deserves high praise for his effort to stop the give-away of $70 billion worth of new digital television channels. There will be six where now there is one. Existing station owners want the five new channels for free. Safire wants to auction them off. The FCC has already made $10 billion for the taxpayers by auctioning off much less valuable parts of the spectrum.

FCC Chairman Reed Hundt also favors an auction, but in addition wants to make sure that part of the price for the new channels will be an allocation of part of the air time for free use by political candidates.

The *Monthly* has long argued that existing owners should be required to donate such free time as a condition to retaining their licenses, so of course we support Hundt's position on the new channels.

The cause of getting free TV time for candidates—and thus eliminating the corrupting need for the vast sums of money that candidates have to raise in order to buy time—seems to be picking up steam. Not only has it been taken up by Bill Bradley, but Paul Taylor, the highly respected *Washington Post* reporter, is leaving journalism to devote himself full-time to the free time cause.

I hope Hundt, Bradley, and Taylor will adopt another part of the *Monthly* program for political television, which is to forbid manufactured spots. There would be no First Amendment problem because the candidates will be free to say whatever they want to say, but the almost inevitable distortion of the manufactured commercial would be eliminated along with its cost, which is another substantial factor in the exploding cost of campaign finance.

Bob Dole deserves great credit for making sure that a give-away did not result from the recent telecommunications bill. But there is almost certain to be a major legislative push by the give-away advocates later this year. Let's hope Safire picks up some allies in the press to help alert the public to the danger....

Speaking of Paul Taylor, about a dozen years ago, he interviewed me at length for a story he was doing on the civil service. As we talked, I could tell he was having a problem deciding whether to believe me or the respectable and excessively respectful view of the civil service held by most liberal journalists. He was uncertain because he didn't know. He had never worked in government himself. This unfortunately is true of 99 percent of journalists and of 99.9 percent in respect to the executive branch, where I am almost alone in having experience below the top levels where a few stars like David Gergen, Bill Safire, and Pat Buchanan have served.

I was reminded of this recently when I had lunch with a former editor of this magazine who has now joined the executive branch. The first thing he said when he sat down was, "You were right about the meetings."

What he was referring to was my long-standing lament about the vast amount of time wasted in meetings. Bureaucrats go to the meetings, I am convinced, because a meeting seems like doing something. It provides the comforting appearance of action without the possibly unhappy consequence of really taking action. Civil servants go home at night feeling exhausted. Why? Because they've attended so many meetings. As much as any other single factor this has accounted over the years for the unseemly growth in the middle ranks of the bureaucracy. If I, Mr. Big Shot, have to go to all the meetings, I need a deputy or a special assistant to at least make a stab at the real work I'm supposed to be doing.

And, of course, if there are all those deputies and special assistants in the middle, there are not enough jobs down below for the people who really do the work. Which helps explain why the government of the District of Columbia has several buildings full of middle-level bureaucrats but not enough mechanics to fix the snow plows....

You remember all those tobacco executives who raised their hands in solemn oath and assured con-

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gress that they didn't believe cigarettes were harmful? Among them was Thomas E. Sandefur, then the CEO of Brown & Williamson, who proclaimed: "I believe nicotine is not addictive."

Now comes Jeffrey S. Wigand, the former head of research for Brown & Williamson, to testify under oath in a lawsuit. The questioner asks him if he is familiar with Sandefur's congressional testimony and Wigand replies in the affirmative. Then the questioner asks: "Is that the opposite, contrary to what he had expressed to you many times?"

Wigand's answer: "That is correct."...

Speaking of bureaucratic excess, at least one island remains in Bill Clinton's reinvented government. It is the Veteran's Administration.

There are 4 million fewer veterans now than there were in 1980. A quarter of the beds in V.A. hospitals are empty.

Yet while Clinton has succeeded in shrinking the number of federal employees by 8 percent, the number of V.A. employees has actually increased by 1.4 percent and now stands at 264,000....

The pending proposals to cut off welfare payments, which only go to the poor, range from two to five years. Yet the most radical policy proposal for cutting off aid to farmers, some of whom are quite affluent, is seven years. Two-thirds of federal farm aid goes to the largest 15 percent of America's farms. Only five percent goes to the bottom half....

The magazine *Worth* recently ran an interview with a successful female Wall Streeter. I am haunted by one line from the interview:

"My son was born at noon, and I was on the phone with my trader at 1:30. On Wall Street, if you leave for too long, they replace you."...

The terrible cruelty of the Republican crusade to make welfare mothers work without doing anything to create jobs for them was brought home to me recently by a story from my home state, West Virginia. The problems with workfare, it pointed out, is that most counties in West Virginia—at least 38 out of 55—don't have nearly enough jobs for the existing workforce....

What has *The Washington Post* got against the electric car? On January 21 and 22 it published back-to-back assaults on an idea that has always seemed to me worth encouraging, a non-polluting replacement for the gasoline powered vehicles that envelop our cities in smog.

On January 21, the big story on the first page of the business section, highlighted by a large illustration, was entitled "Plugged Into Real Life?" which the article answered in the negative. The next day the featured letter in the letter section was similarly highlighted by an illustration and expressed a similarly negative point of view, as indicated by its title "Down the Road to Nowhere."

Neither the article nor the letter mention the most important practical possibilities for electric-powered vehicles, which is for rental cars in urban areas and for school buses and postal and other delivery vans where refueling can be done easily at relatively few service sites. Why is the *Post* so intent on putting down something that helps clean up the air we breathe?...

The hired-gun amorality of the American bar was never better illustrated than in a recent revelation by Milo Geyelin and Timothy Noah in *The Wall Street Journal*. They found more than a few former Food and Drug Administration lawyers who are now working for big-time Washington firms and representing the nicotine peddlers, a.k.a the tobacco industry, that the FDA is fighting against. This roll of dishonor includes Richard A. Merrill of Covington & Burling, Richard N. Cooper of Williams & Connolly, Thomas Scarlett of Patton, Boggs & Blow, and Donald Beers and Arthur N. Levine of Arnold & Porter. How can these men defend themselves to their wives and children? And what about their partners? I know several of them who seem to be thoroughly decent, but I don't see how they can justify to themselves sharing in profits gained from clients who are engaged in addicting the young and have given lung cancer to millions....

At both my home and my office I've dealt with some wonderful UPS delivery men. I've been impressed with their energy as they practically run from truck to door. Now I know that there is a dark side to UPS's speed-up. The company has an injury rate that is more than 25 percent higher than the industry average. It recently raised the maximum weight of its packages from 70 pounds, which most of us could carry, to 150 pounds, which most of us couldn't lift without risking a ruptured disk. For obvious reasons, UPS, according to *Time*'s John Greenwald, "is leading a corporate charge to gut enforcement programs at the Occupational Safety and Health Administration." Such dedicated congressional opponents of worker safety as Newt Gingrich, Bob Livingston, Dick Armey, and David McIntosh receive generous support from UPS, ranging in just the first seven months of 1995 from $30,137 to $44,775. The on-

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the-take-from-UPS champ is House Republican Whip Tom DeLay, who got $64,750 in the same period.

This is the same statesman who, when recently asked by CNN how he could accept his congressional salary of $133,600 while federal employees were not being paid, replied:

"I am not a government employee. I am in the Constitution."...

Lawyers of dubious virtue are, of course, not confined to Washington. The latest example from the hinterlands may be a Wisconsin attorney named Jill S. Gilbert. The Wisconsin board that disciplines attorneys claims that she charged $112,000 in fees to manage a sick client's affairs. What's so bad about that? Well, for one thing, the client's total fortune amounted to just $250,000 and she managed it for just six months. During this time she is alleged to have used her clients' money to purchase for herself a $3,000 large-screen television, a VCR, a humidifier, perfume, and gasoline for her car. Thirty-two hours of the time she billed him for, according to a report in the *Milwaukee Journal*, she was vacationing in Las Vegas while he was hospitalized in Wisconsin....

Did you know there was a book called *Hit Man: A Technical Manual for Independent Contractors?* It offers instructions to readers on how to commit murder for profit without leaving evidence that might incriminate the perpetrator. It was actually used as a guide by a hired killer who murdered three people in a Washington suburb a few years back.

Relatives of the victims are suing the publisher of the book. Guess what defense is being asserted? The First Amendment. Can you believe a judge could be so addled as to fall for such an obviously fallacious argument?

Well, that's exactly what could happen if the plaintiffs are unlucky enough to have this case assigned to a federal judge named Harold Baer Jr. A recent example of Judge

Baer's cognitive powers at work is provided by the arrest of Carroll Bayless in the Washington Heights area of New York City last April. Officer Richard Carroll, according to an account of the event in *The New York Times*, saw four young men loading duffel bags in a car with Michigan plates and with Bayless at the wheel. Since Washington Heights is a drug trading center where 61 percent of those arrested are from out-of-town, Officer Carroll was suspicious and approached the car. His suspicions were heightened when his mere approach caused the four young men to flee and appeared to have been confirmed when he found 75 pounds of cocaine and four pounds of heroin in the bags. The last shred of conceivable doubt was removed when Bayless confessed, explaining that she had made 20 similar trips before.

But Judge Baer threw out the confession. He reasoned that Bayless could just as easily have been an innocent visitor getting help with her luggage and that those four men who fled could have done so out of fear of police brutality. I don't deny that could have been a good reason for the flight (see Joseph C. Kennedy's article on page 19), but how does it justify Judge Baer's dismissal of the charge against Bayless, who had been caught with the dope in her car and had confessed without any evidence of threat or intimidation?...

Michael Wilbon, the *Post* sports columnist, recently pointed out the irony that Tony Dungy was only the fourth black to be hired as an NFL coach. Dungy had to endure 15 years as an assistant, despite having been recommended as a head coach by three of the top coaches in the league—Chuck Noll, Bill Walsh, and Marty Schottenheimer. The all white owners may have gotten a wake-up call when the black Ray Rhodes did such a miraculous job with the Philadelphia Eagles this past season. But the fact is that all three of Dungy's black predecessors have gotten their teams to the playoffs. What's the percentage of white coaches who have done the same?...

When the police raided the home of white supremacist Larry Wayne Harris, they found a dozen carbines, smoke grenades, blasting caps, white supremacist literature,

Roman Genn

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and three vials of the organisms that cause bubonic plague—you know, the stuff that wiped out most of Europe a few centuries ago. They took this evidence to the U.S. Attorney. But he didn't prosecute. Why? You will be more than a little surprised—as was I—to learn that possession of the bubonic plague is not a crime. Nor is it a crime to possess such dangerous pathogens as anthrax and botulinal toxin, which according to *The Washington Post*'s Karl Vick, to whom I'm indebted for this story, has been called "the most lethal substance known."...

Speaking of surprises, imagine how Millie Penn felt when she called 911 to report that the store where she worked was about to be robbed and got a recording saying, "You have reached 911. Do not hang up." By the time she got an operator the robber had a gun to her head and she had to put the phone down.

It seems that in Prince George's, a Maryland county that borders on the District of Columbia, 21 percent of 911 calls get the recording, which comes up after the third ring. According to *The Washington Post*'s Jackie Spinner, other suburban Maryland and Virginia counties do better. Neither Fairfax nor Montgomery County use recordings. Ninety-five percent of Montgomery's calls get answered within 10 seconds. In Fairfax the average is just 1.1 seconds.

The District of Columbia's performance on this, as on almost all other aspects of governance, is miserable. Sixteen and a half percent of its 911 calls are answered by a recording. Well, you say, at least that's better than Prince George's County, but get this: The District's recording only comes on after the seventh or eighth ring, by which time the robber has probably grabbed the cash or pulled the trigger or both....

The New York Times recently ran an alarming article about the sale of impure olive oil in the United States. It said only 4 percent of the oil is pure. A few days later an "Editor's Note" appeared in the lower right hand corner of page 2. It said that the article had "considerably overstated the problem." You bet it did. It turns out that 98 percent of the oil is pure....

Another *Times* story that I hope they wish they hadn't published came in early February and was entitled, "How to Divorce Your Trainer." It devoted 21 paragraphs to the problems of exercisers who are wealthy enough to hire personal trainers who then become their confidantes as well. Here's a sample of the contents:

"'I spent an entire summer agonizing about letting my trainer go,' recalled the novelist Eileen Goudge, who discovered she much preferred working with the replacement her trainer recommended to fill in while he was on vacation. 'He had all the right moves, but he wasn't inspiring me ... I bit the bullet and told him the bad news ... I felt like I was divorcing someone.'"

But even though the *Times* occasionally runs wrong stories and too often caters to the whims of the superchic, it is a great paper and I have been very troubled by stories that its leadership is threatened by greedy stockholders who want higher return on their investment. They are now getting nine percent—which I can tell you we would love to be getting at *The Washington Monthly*. Why own stock in a publication like the *Times* if your primary interest is profit? It seems to me that, assuming a decent rate of return, the right motivation would be pride in the paper's greatness and in the indisputable fact that it has been getting even better in recent years. If you want 15 percent, invest in something else. Or why not have a mixture of investments—some because you believe in them and some because you think they will make you a lot of money?...

The short article that begins on page 12 is by Michael Mayo, a teacher who was an intern at this magazine last year. Please read it. You will see the dedication, the decency, the delight in life that made all of us here love him. I'm proud of people like Mike and my son Christian, another recent recruit to teaching, and pray that others like them will flock to the profession. They're desperately needed and there are few better ways to spend your life. ...

When *The Wall Street Journal* asked Steve Forbes about the challenges he has faced, Forbes named three: Going to the elite Brooks School in Andover, Mass., going to Princeton, and taking over *Forbes* magazine, which he inherited from his father....

-Charles Peters

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The Public Schools' Last Hurrah?

Without quick and decisive change, it could be. A five-point plan to save the schools before it's too late

BY JOSHUA WOLF SHENK

The great country, the great society, the great community is, first of all, the well-educated country, the learned society, the community of excellence. This nation knows it, proclaims it, even rhapsodizes about it. Then it busies itself with other matters.
—Benjamin Barber, *An Aristocracy of Everyone*

In 1983, Education Secretary Terrel Bell released *A Nation At Risk: The Imperative for Education Reform.* It was a stark and angry report, concluding, "If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war." The effect, Bell recalls, was "electrifying." Newspapers trumpeted the story. In statehouses, governors like Bill Clinton, Richard Riley, and Lamar Alexander pushed wide-ranging reform packages.

Thirteen years later, Bell laments, we've seen "some improvement ... but not enough." The origins of his landmark report provide a clue as to why: Bell wanted President Reagan to announce the study himself, appoint a panel to conduct it, and personally give members their assignments. The White House demurred. Such an action, Bell remembers being told, would undermine Reagan's efforts to abolish the Department of Education and slash federal education funding. In other words, the President was too busy disengaging from education to engage it.

The moment was both sorely disappointing and sadly predictable—another mark of the persistent failure of national leaders to elevate schools to the top of the country's agenda. "Look at how George Bush aroused the public over Saddam Hussein's invasion and conquest of Kuwait," Bell says. "He just wouldn't leave it alone. He went after it with all his heart." But schools have never commanded the same zeal. "[Bush] is the one who said he wanted to be the education president," Bell says. "I'm a lifetime Republican, but I kept waiting" for Bush to make schools a top priority.

Bill Clinton has kept us waiting too. In Arkansas, he made education reform the centerpiece of his governorship. Now that he's in a position to arouse public opinion, Clinton has faltered. His daughter attends the lovely Sidwell Friends School, a private school in Northwest Washington. But just miles from Sidwell, public school children go without books in schools packed to twice their intended capacity; they endure leaking roofs and putrid bathrooms.

The problems of public schools extend well beyond crumbling infrastructure. If children had top-notch teaching staffs, administrations that used funds efficiently, and effective curricula, maybe they would be doing all right. But they don't and they aren't. Meanwhile, confidence in public schools—even the "better"

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schools—is withering. Nearly 50 percent of Americans don't think a diploma from their local high school guarantees basic skills in math or reading. Six of ten parents would send their kids to private schools if they had the money. Support for public schools is "fragile," reports the public interest polling firm Public Agenda. And half-baked solutions such as vouchers are gaining popularity.

The loss of public schools would be a severe one. The purpose of education is not just to prepare successful workers and citizens, or to ensure equal opportunity. Those are vital functions; whether we perform them well determines the social and economic health of our country. But public schools, at their best, do something more. They provide a common space where, in a country fissured along lines of race and class, children of all backgrounds meet, interact, and learn to understand each other.

A recent *USA Today* poll shows that education is now Americans' most serious concern—above crime, the environment, and the economy. You would think our leaders would feel this sense of urgency, and that the subject of schools would dominate campaign rallies, television talk shows, and op-ed pages. This, of course, is not the case. It's no coincidence that the people who set the agenda—including activist Marian Wright Edelman, politicians Clinton and Al Gore, professional moralist Bill Bennett, movie director Robert Redford, and journalist Jim Lehrer—chose private schools for their children. This is true for the vast majority of the American elite.

It's hard to fault parents for seeking the best education for their kids. But these prominent Americans, by neglecting the crisis in public schools, are guaranteeing that the conditions that made them flee the public system will last, and possibly worsen, for the next generation.

There is no simple blueprint to revive poor schools, no formula for good ones. But there are five fundamental characteristics found in successful schools: A dynamite principal who has ample authority and support, and who is held accountable; classrooms filled with high-quality teachers; a curriculum that demands excellence; parents who are actively involved in the schools; and financial support that reflects education's vital importance.

I. HELP, NOT HINDRANCE, FROM ABOVE

At Roper Middle School for Science, Mathematics, and Technology in upper Northeast Washington, D.C., Principal Helena Jones walks her halls with the presence of someone who is both feared and loved. Rounding a corner, she sees two girls scuffling in front of a row of bright yellow lockers. Jones puts her hands on her hips and brushes back her bright red blazer. Her voice booms across the granite floors. "Where are you supposed to be?" The girls answer by going there.

Scuffles are an exception here. Roper is a flowering bud on a withering school system. The 600-some students are black (except for three Hispanics) and overwhelmingly poor; many of them, Jones says, come to school with "cold, callous hearts," numbed by violence and absent or abusive parents. But the school defies the odds. Its dropout rate is zero. Ninety percent of its graduates go on to complete high school, compared to a citywide rate of 50 percent. And tests show Roper students among the best in the city.

Jones, a vigorous woman with the physique of Grace Jones and the spirit of Eleanor Roosevelt, is the primary reason. No matter is too small to warrant her attention and no task too ambitious. When she sees a scrap of paper on the floor, she picks it up. When "downtown" is slow to make a necessary repair, "I cuss them out and yell and then cuss some more" until she gets action. To upgrade her school technologically, Jones and her teachers sought and won grants from the Commerce Department and such companies as Kodak and Bell Atlantic.

Helena Jones's story shows the enormous good that an energetic, effective principal can do. The first and most important job of school administrators is to hire good principals, give them the support they need, and then hold them accountable for the success or failure of the school. In Wyoming, Ohio, for example, where I attended school in the eighties, the central administration is spare—just one superintendent and a few support staff for 1,683 students. The system's principals largely decide for themselves how to spend the money they have. And they do well. Though its spending per pupil is 9th in a county of 22 districts, Wyoming is ranked highest in every measure of performance.

In many districts, however, central administrators seem less concerned with getting good principals than obstructing them with cumbersome regulations. These bureaucracies suck up money that should be spent on teachers, books, and maintenance. In New York City schools, for example, only about 30 cents of every educational dollar goes to teachers and materials. In Milwaukee, the figure is

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only 26 cents on the dollar.

Where does the rest of the money go? Teachers and principals have a hard time figuring it out. "When I hear bureaucrats speak at various functions, I look at them and say 'How are they affecting my classroom at all?'" says Shannon Carey, a fifth grade teacher at Stonehurst Elementary school in Oakland, California. "The assistant superintendent for elementary education ... the only time I hear from her is when she is giving me some survey [to fill out]." Indeed, paperwork seems to be administrators' best friend: They produce—and demand—piles of it. Complicated federal and state regulations are as much at fault as self-serving bureaucrats. But the memos and regulations are about as relevant to classroom instruction as high-minded political theory is to horsetrading on Capitol Hill.

Fifty percent of Americans don't think a diploma from their local high school ensures basic skills in math or reading.

"Most of the curriculum guidebooks put out by the central board just sit in an office somewhere," says Deborah Meier, the celebrated educational innovator and former principal of the Central Park East school in East Harlem. Bulky discipline codes, she says, assume "there's one right way that fits all situations. It's pointless ... if I don't agree [with the rule], I won't enforce it."

Meanwhile, principals and teachers are not receiving the basic support they need. Liesl Frischmann, a teacher at Paul Junior High in Washington, D.C. ordered 18 reams of paper in September for photocopying; six months later, she's only gotten three reams. Unless she pays for copying out of her own pocket, her kids go without handouts. This story, unfortunately, is typical.

Theoretically, centralized purchasing saves money (through bulk purchases) and prevents corruption. But school boards regularly pay prices above those charged by stores like Staples. And corruption is rampant in the central offices themselves. In New York City, one city investigator found $620,000 worth of supplies missing from a school warehouse.

When principals and teachers are given sufficient authority, schools can shine. At Central Park East, Deborah Meier was allowed to design her own curriculum and decide on the allocation of resources. The results were dramatic. One study showed that 80 percent of Central Park East high school graduates went on to college—compared to only 15 percent in East Harlem as a whole.

Charter schools, which have now spread to 19 states, apply the same principle of school-based control. If schools want to have one less guidance counselor in order to decrease class sizes, they can. If they want to get kids to help with chores in order to save money on custodians, they can. That's what the Marblehead Community School in Massachusetts. does. If the school doesn't show results, the state will revoke its charter.

But decentralization is no magic bullet. When Chicago broke up its central office and devolved power to its 553 schools, some soared. Other schools sank under the weight of corruption and mismanagement. One administrator changed the grades of influential parents' children. "The mantra across the country has been 'local control! local control!', which makes a lot of sense," says Maribeth Vander Weele, author of *Reclaiming Our Schools*. "What didn't make sense was to do it with no controls, no auditing, no investigative agency."

Every district needs a Maribeth Vander Weele: As director of investigations for the Chicago school system, she tracks down everything from abusive teachers to wayward supplies. Vander Weele and her colleagues have found warehouses filled with brand-new desks and hundreds of millions of dollars of waste in health care expenditures. Then there was the great toilet paper scandal. "We had videotape of a [school employee] unloading loads and loads of toilet paper at a dime store," she says. The lack of "toilet paper is a huge issue in schools.... And we found this guy stealing it. We talked to the store owner's wife and she said, 'Oh yeah, he comes by here all the time. He gives us great prices.'"

As this story shows, central controls can't be eliminated entirely. And some tasks, such as recruiting personnel and providing some supplies, can be done more efficiently en masse. But everything possible should be kept within the schools. The country's much-admired parochial school system is a model in this regard. The Archdiocese of Philadelphia handles more than 100,000 students with only 25 employees, while the Philadelphia public school system has 600 administrative employees for 210,000 students. (Compared to D.C., which has 900 administrators for only 80,000 students, Philly schools are lean.)

Catholic schools are also small. Small helps.

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(See Michael Mayo's story, page 12.) When a school has hundreds of teachers, it's hard for everyone to know each other, let alone work together to solve problems. By contrast, at small schools like Wyoming High School and "miracle schools" like Central Park East the faculty members are in constant communication.

II. IT TAKES A GOOD TEACHER

In 50 years, when I reflect on my education, I suspect most everything will have dissolved into a faint residue of memory—except for a few extraordinary teachers. I never thought of myself as a writer until a high school teacher noticed my work and told me how to improve it. I never thought I could write for a living until a college professor convinced me I could.

Most people feel that a good teacher was at the core of what made their schooling valuable. And yet society spits on the profession. Consider Janis Spindel, a matchmaker in New York City who organizes singles parties. "No one's a schlub," she recently told *The New York Times*. "We have a ton of investment bankers, stockbrokers, female attorneys and professional people. Not any teachers. People that are more quality."

That an investment banker is considered of "more quality" than a teacher speaks volumes about the country's twisted values. No school reform is more important than recruiting energetic and effective teachers. And doing so means waging war on attitudes like Janis Spindel's, giving teachers the respect and pay they deserve, and convincing the best and brightest that schools need their talent more than law firms and Wall Street.

Until the sixties and seventies, most women who wanted to work outside the home had two real options: teaching or nursing. Though this was no neat deal for women, schools did benefit from the injustice. Today bright young people have almost unlimited opportunities, and teaching school often ranks low on the list of options. "The reason I never considered a teacher job growing up is that I didn't think it was ambitious enough," says Liesl Frischmann, who studied communications at American University. "When I pictured a teacher I pictured some of the burned-down substitute teachers that I'd had. I didn't think of the brightest, most capable people." Fortunately, in her senior year in college an influential professor encouraged her to consider teaching; she is now in her third year of teaching.

But the Janis Spindel syndrome—a sneering attitude toward teachers—is only part of the problem. Many first-rate people who do choose teaching make a beeline for private and parochial schools, deterred by certification requirements for public schools that are archaic, counterproductive, and, say many teachers, totally useless. One New York University class in "Exploring Education Issues," for example, featured such tasks as "workshopping on transactional communication situations" and "barnstorming on bypassing."

"They're ridiculous," says one teacher of the education courses she's taken. "You pay 200 dollars and get three graduate credits and you have no idea what happened to you." George Simmons, an English teacher at Middleborough High School in Massachusetts, agrees: "It's a waste of time." Is it any wonder that 40 percent of slots in education programs are filled with students in the lowest fifth of their college classes?

The irony is that the one academic credential that is proven to affect teacher quality—a bachelor's degree in the subject being taught—is not required by public schools. Harvard professor Ron Ferguson has shown that the more a teacher knows of his subject, the better his students tend to perform. Wealthier districts know this and tend to seek out teachers with such qualifications. Poorer districts often get stuck with the less-qualified: In schools with poor, high-minority populations, only one in three science classes is taught by a science major.

Meanwhile, would-be teachers are blocked by bogus certification requirements. Simmons tells the story of a former student who was studying civil engineering at college and wanted to be a teacher. Despite his expertise in math and physics—subjects in great demand in many schools—and his experience coaching youth football and baseball, he could only teach in public school by completing a bevy of education courses. "We discourage a lot of people," Simmons says wearily.

Requiring education degrees for teachers makes as little sense as blackballing actors who didn't go to acting school. It would be vastly more sensible for public schools to hire teachers based on subject knowledge, enthusiasm, and ability—the same criteria used by private and parochial schools. A number of states have taken steps in the right direction with "alternative certification," allowing teachers into classrooms without ed school classes (although typically they have to take those classes to continue

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teaching). A prime example of alternative certification's success is Teach For America, which sends college graduates to two-year teaching stints in the country's most desperate school systems. These teachers earn plaudits from principals, 77 percent of whom describe them as better than their other beginning teachers. And 65 percent of Teach for America alumni have stayed in education.

Some teacher training is necessary. As Jonathan Schorr wrote in the *Monthly* in 1993, "developing and executing a good curriculum is about as simple as composing and performing a good symphony." As Schorr suggests, an initial training period should be short—as little as eight weeks. Then, novice teachers should be joined with a mentor, or "master teacher." Student teachers are too often thrown to the wolves without real support. Mentors would commit real energy to the relationship—and be rewarded financially for the effort.

The Uglier Task

Recruiting, training, and encouraging good teachers will go a long way toward improving public schools—but not far enough. The second, uglier task is to get rid of teachers who aren't doing their jobs. Talk to any teacher or principal and the stories tumble out. In my first three interviews for this article, I heard about these eye-opening cases:

• A junior high teacher who is an obvious alcoholic and brags to his colleagues about biding his time until retirement.

• A paranoid, abusive kindergarten teacher who accuses students of "spreading lies about me" and who once pinned a student against a wall.

• A congenial, but tired, third-grade teacher who sends all her hard-to-reach students—even very bright ones—to "special education" classes in order to get rid of them for half the day.

It might seem impossible that such teachers keep their jobs. Obviously, principals, fellow teachers, and even students know who they are. But the tenure laws that govern public schools make firing teachers as painful and expensive as removing an impacted wisdom tooth. "I can think of a teacher who used to have her children sit in front of the television for a couple of hours each day," says one veteran principal in a big-city school system. "It was mainly just as a baby-sitter, and I thought that was pretty criminal." But the principal took no action.

What Public Schools Can Learn From Nativity Prep

A few weeks ago, Mayor Tom Menino asked Boston to judge him by a single, severe criterion: the performance of our public schools. The speech was surprising and exciting: It's rare for any politician to give education its proper place at the top of our civic priorities, never mind stake his reputation on it. Yet by the time he had finished outlining his plans, the most salient proposal, the one that *The Boston Globe* called "the most dramatic promise," was to put a computer in every classroom by the year 2004.

Menino is setting himself up for failure. No doubt computer literacy will be increasingly important in the 21st century, but a computer in every class will never guarantee good schools. No classroom needs a computer—or posters, overhead projectors, or VCRs. It might sound dull to anyone who doesn't teach, but there aren't any tricks to education. All too often, the innovations that excite politicians, pundits, and parents have no connection to the day-to-day operation of a school. "Everybody's running around talking about education," says Rev. Al Hicks, the principal at the school where I work. "But we got this thing figured out a long time ago. It's just a matter of *doing* it."

I teach at Nativity Preparatory School in Roxbury, an inner-city neighborhood in Boston. The Jesuit school has 58 students from fifth through eighth grade, all boys, most of them from impoverished families. The kids come to school for 10 hours a day; they trek back for two hours of study hall at night. They show up at 7:40 a.m. to clean the school before the first bell rings, and I've never heard a complaint. When these kids graduate, they'll go to top schools in Boston and New England, many with full scholarships.

Nativity's success may seem miraculous. But seen from the inside, it is surprisingly simple: Hard work, discipline, love, and a size small enough to make these things possible. There are only 14 of us on the staff; we're all teachers, even the principal and executive director. The kids know us as well as they know their own families. Father Bill Cullen calls himself "Old Fat Father," and the kids—kids who would have sunk in big public schools under the weight of personal and family problems—put their heads on his belly and hug him. They bring up their heaviest, most private concerns in public prayers every morning because they know that we're on their side.

I teach sixth grade reading and language arts. A two-hour class might be a discussion of a novel. Most

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"Unless you can prove gross incompetence," she says, "you're not going to move a teacher."

Firing bad teachers is not impossible. But it is so difficult that principals rarely try. Consider Jay Dubner, a New York City school teacher who was convicted of a felony narcotics violation. It took two years and $185,000 in legal fees for the city to dismiss him. Egregious cases like these at least generate media coverage and public indignation. After the Dubner case, New York State made it easier to fire a teacher convicted of a crime.

But most cases are less obvious to the outside world. One principal told me about an out-of-work actress who worked as a teacher in order to pay her bills. She would tell her students to put their heads down on their desks and then spend class memorizing lines. With much difficulty, the woman was transferred. Not fired, transferred. Another principal, and another set of kids, inherited that teacher's incompetence. Typically, already struggling schools get these teachers dumped on them.

Madeline Cartwright, a former principal of Blaine Elementary School in North Philadelphia—a principal with the "magic touch," *The New York Times* said—knows this problem well. She has been frustrated by bad teachers. But as a former staff representative for the Philadelphia Federation of Teachers, she also knows why it is virtually impossible to get rid of them.

"If a principal rates a teacher 'unsatisfactory'," Cartwright says, "they get the wrath of the union. We would get the teachers together and say, 'Her today, you tomorrow. You better support us today so we'll support you tomorrow.'" At first, when Cartwright spoke to a teacher who had been given a bad rating, she would ask: "Why were you rated poorly?" But she was dressed down by the union president. "He told me it was my job to defend that teacher no matter what. I had one man [who] was having a love affair with a 15-year-old girl who could neither speak nor hear. I said to the president, 'There's no way I'm going to represent that teacher.' I said 'I can't go. Send somebody else.'" And so they did. "The union stand is the same as a lawyer—defend everybody," Cartwright says.

This problem runs deeper than just bad teachers. Even good ones have no outside incentive to do their job well, because they can't be fired or even seriously disciplined.

The first step toward a solution is to eliminate

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recently, it was Mildred Taylor's *Roll of Thunder Hear My Cry*, the story of a Southern black family during the Depression. My kids have a tough time reading. But they did grow up listening, and I work with that. I read out loud to them and talk over the material. That gets them excited to do a reading assignment at night.

Since we have no secretary or janitorial staff, the teachers and kids pitch in to run every aspect of the school. This means work for me that teachers' unions in a public school would holler over—answering phones, for example. But the absence of bureaucracy means that I have no paperwork, no requirements other than keeping the place running and teaching the kids.

Nativity not only fosters academic excellence and a feeling of community, but something even more remarkable: Our students, despite the misery around them, are usually *happy*. They're comfortable in school; they're free to be nerds. Their achievement breeds self-esteem, self-worth, and all the other touchy-feely issues that bigger schools waste so much sweat trying to make happen.

The school pays teachers just a small stipend, yet we come from the best colleges in the country to give long hours to our kids. Why are we here rather than in more lucrative or prestigious professions? The answer is simple: We love teaching. It is an unbelievably satisfying, deeply thoughtful experience.

Why are we here rather than at a public school? Unfortunately, most public schools won't let you in the door without extensive coursework in education classes. Most teachers at Nativity are under 25 years old and have never taken an education course in their lives. I got about 20 hours of training before heading into the classroom. Like my colleagues, I'm doing fine—and getting better the more I teach.

The size, structure, and atmosphere of the school also matter. Unlike public schools, weekly faculty meetings at Nativity aren't tied up with battles between teachers, administration, and the wider school system; instead, we're able to discuss each student, one by one, and figure out what he needs from us. In an environment with firm discipline and high expectations, teachers can affirm and challenge children.

Nativity has its limits: Because it subsists on donations, it reaches a very small number of students. But the conditions that make Nativity a success—good teachers, small size, minimal red tape, discipline, and love—can be replicated in public schools. In some places, they already have. Not every kid can come to Nativity, but if education reformers learn from its success, every kid can get a Nativity education.

–Michael K. Mayo

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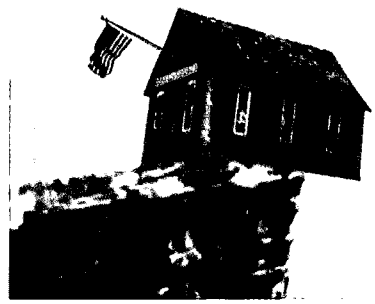
tenure. William Bosher, state superintendent of Virginia's public schools, wants to do just that. "This is something that polls show 70 percent of Americans support," he says. "As we talk about student accountability, accountability for schools, then we need to look at every aspect." Bosher would offer new teachers a year-long contract, then, if they do well, a three-year contract, and after that, five-year contracts.



Throughout the country, unions use their formidable political clout to perpetuate the status quo. In 1994, the National Education Association (NEA) gave $2.27 million to Democratic candidates for Congress, outspending even the National Rifle Association. More to the point, the donations flow generously in state politics where the laws that matter get written. The Virginia Education Association killed Bosher's reform in the state legislature. In a number of states, from California to Kentucky, reformers are moving to reform tenure laws and are meeting the same resistance.

No one knows unions' fearsome power better than Bill Clinton who, as Arkansas governor in 1983, proposed that teachers pass a simple competency test as a condition of recertification. The Arkansas Education Association was enraged, calling tests "insulting and degrading." They lobbied the legislature, staged candlelight vigils, and closed down the schools to hold a massive rally in Little Rock. Considering how basic the test was, the furor is mystifying. One math question was as follows:

In preparation for the sixth grade graduation ceremony, the school custodian determines that the school has 1,200 folding chairs. However, the kindergarten classes will use 240 of those chairs for their graduation. ***How many chairs will be left over for the sixth graders? A: 950; B: 960; C: 1060; D: 1,440.*** (By the way, teachers who failed the test could take it again—multiple times.)

Unions, of course, have won many deserved benefits for teachers who are generally overworked, underpaid, and underappreciated. And the American Federation of Teachers (AFT) has shown more willingness than the larger NEA to tackle once taboo issues—such as the importance of discipline in the classroom. But even the AFT continues to defend incompetents. For groups that are supposed to be teachers' advocates, this makes no sense. Bad teachers make for more work and less respect for the good ones.

Teachers do have a legitimate worry about principals abusing their power to hire and fire; so why not involve teachers in personnel decisions? There's also no question that some job security for teachers encourages academic freedom. But a five year contract gives considerable security. Or make it six—then teachers would have the same job guarantee as United States senators, who have the longest tenure of any elected federal official and among whom there is no shortage of the spirited disagreement that academic freedom is meant to stimulate.

III. GREAT EXPECTATIONS

Gertrude Williams, the principal of the Barclay School in Baltimore, had an idea: She wanted to adopt the rigorous curriculum and methodology of a nearby private academy, the Calvert School, for her inner-city public school students. The city superintendent, Richard Hunter, resisted, calling it a "rich man's curriculum." Presumably, Hunter meant that Barclay's students—90 percent of whom are black, 82 percent of whom are poor enough to receive free school lunches—wouldn't respond to a rigorous program in math, science, history, literature, and art.

The program was adopted and the Barclay kids proved Hunter wrong. Before the new curriculum was put in place, they tested in the 20th and 30th percentiles, scores typical of troubled urban schools. Now, language scores match those of expensive private schools, with English scores in the 80th percentile and math in the 85th. More prosperous families are moving to enroll their kids in Barclay.

The Barclay experiment is the latest proof that the more that is asked of kids, the better they perform. This is age-old practice at prep schools such as Exeter. But among inner-city kids, standards and expectations are low. One Department of Education study showed that the same work that earns a C in the average suburban school would earn an A in the

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average inner-city school. By giving youths only remedial and vocational courses, we practically guarantee that they will not excel.

"We expected less of our young people," *A Nation at Risk* concluded, "and they gave it to us." This is true not only in troubled schools. More than a third of high school graduates take no math course more advanced than basic math or introductory algebra. Only 17 percent of blacks and only 26 percent of whites take any physics in high school. Is it any surprise that American students, compared to those in other industrialized countries, rank near the bottom in math and science?

In Catholic schools, tougher standards are old hat. Rare is the graduate of a parochial high school who doesn't leave with four years of English, three of math, and two of science. And whether in the suburbs or inner city, parochial schools take the same students as nearby public schools and produce far better results. At Nativity Preparatory School in Roxbury, Mass., teacher Michael Mayo's students attend four more hours of school a day than their public school peers. But it pays off in intellectual growth. "They get a lot of crap for putting on a tie and going to school for 10 hours a day," Mayo says. "But they keep coming. Even on Saturdays. They *like* it."

High standards aren't about curricular bells and whistles; they're about ensuring that high school graduates have the basic skills and knowledge to be productive workers and informed citizens. Some public schools are replacing remedial education with exciting, demanding work—and students are responding. Althea Woods, principal of the 99th Street School in the Watts section of Los Angeles, has implemented a program dubbed "accelerated schools." As a former regional consultant, Woods recalls seeing "slower" kids numbed by boring tasks such as copying down definitions from the dictionary. "Our staff came together," she says, "and decided that all of our children were gifted and talented and that we would teach them that way." At 99th St., sixth graders study operas and Shakespeare. And a school that was once one of the city's worst now has to turn parents away.

If high standards are vital in academics, they are also necessary for behavior. In an Alexandria, Kentucky high school, Spanish teacher Fran Cook was repeatedly threatened by a student, Andy Bray, who would blurt out, "I am going to kill you, Mrs. Cook." Cook once intercepted a letter from Bray to his friends: "To frighten teacher," it read, "speak each day about different methods of murder." His punishment? Forty minutes of detention. Cook ultimately had to file a civil lawsuit and seek a restraining order, which she won. The school began expulsion hearings only after a storm of publicity.

Fran Cook isn't alone. An *American Educator* survey found that 36 percent of teachers in inner-city junior high schools, and 11 percent in the suburbs, have been threatened by a student. "Thugs ... run the schools," one Connecticut teacher told Public Agenda. Other teachers echo this opinion; more than 80 percent think removing chronic misbehavers would substantially improve kids' education. Discipline problems also send good teachers fleeing to private or parochial schools, which mete out real discipline and thus have more orderly classrooms.

School officials slack off on discipline partly out of good intentions: They want to keep students in school rather than cast them out to a crueler world. There's also financial self-interest: Schools don't want to lose funds they receive on a per-pupil basis. And then there's the fear of lawsuits from aggrieved parents. Disruptive students often get off for the same reason as bad teachers—schools don't want to spend years in court defending their decision. Principals need to be able to exercise discretion, and that means changing the law to shield them from endless lawsuits. If a principal shows a pattern of poor judgment, he should be fired. Otherwise, he should be able to act in the school's best interest.

IV. INVOLVING PARENTS

When Madeline Cartwright became principal of Blaine Elementary in North Philadelphia, she could count on two hands the number of parents who regularly attended meetings. After coaxing parents to get involved, her 300-person auditorium would overflow at meetings. Almost immediately, more students began to attend school regularly. Three years later, Blaine was named the district's most academically improved school.

Today, Madeline Cartwright earns $4,000 a speech to talk to educators about her work at Blaine. But when she offered her services for free to her grandson's school in Haverford Township, a well-to-do suburb, she was ignored—except for being asked to make cookies for a bake sale.

Parental involvement is perhaps the most important determinant of a student's success in school. Unfortunately for American public schools, Cartwright's grandson's school is the norm and

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Blaine is the exception. In many schools, parents are made to feel unwelcome. Teachers and principals are too busy, or they fear parents will challenge their authority or call them on their shortcomings.

Althea Woods's "accelerated" school is a model of what parental involvement can do. "Our parents will just do anything," she says. They prepare bulletin boards in the hall, tutor children, and monitor playgrounds. "Once we were short a custodian and the parents said, 'Oh no, this school is not going to turn into one of those filthy places.' So they came with their Lysol and their mops, and that lasted for three weeks until we got a custodian."

Woods's parents are also more engaged with their own children at home. They attend workshops on how to help their kids with homework. The kids benefit not just from having their parents' attention but also from the wide range of adults who volunteer in the schools. When a civil servant or an office manager or an engineer comes to school, students are exposed to worlds they might never have seen.

That's why not just parents, but the entire community needs to get involved. At Covina Elementary School in Los Angeles, Principal Ron Iannone invited the town Rotary club, university medical students, and others to volunteer in his school. Now Covina is cleaner, safer, and rich with options from day care to after-school programs. Schools need an explosion in this kind of volunteer activity, particularly for labor-intensive services like tutoring. Unfortunately, too few of us recognize the need. A recent *Washington Post* story touted the value of tutors to "fix things that are broken [and] expand a child's horizon." But the paper only mentioned volunteer tutors in passing, smugly assuming that kids who can't afford fees of up to $40 an hour don't deserve the same help as those who can.

V. ENOUGH MONEY TO DO THE JOB

At a 1990 Education Summit, then-President George Bush proclaimed that the U.S. "lavishes unsurpassed resources on ... schooling." Unsurpassed by whom? This country spends less on primary and secondary education than 13 of the 16 major industrialized countries. In 1995, the General Accounting Office reported that a staggering $112 billion is required to repair facilities and construct new schools for an expanding student population. In Dade County, Florida, for example, *The Miami Herald* recently found 241 out of 272 schools "cramped beyond capacity, many with twice the number of students they were built to hold."

Shannon Carey, the teacher at Stonehurst Elementary in Oakland, works in a facility that is overcrowded and poorly maintained. Built when it was faddish to have no walls between classes, the school hasn't had funds to build temporary walls. "You can imagine the bedlam," Carey says. "You're having silent reading and the class next door is teaching music. Stuff literally comes flying and hits your kids when there are substitutes." And last year, Carey's school was repeatedly flooded with raw sewage. "I was thinking, 'This is just East St. Louis.'... But it was in my school, too."

As per President Bush's assertion, conservatives produce piles of academic data to demonstrate that money makes no difference in schooling. But if money doesn't make a difference, why do suburban districts spend ever-more money on schools—sometimes near $20,000 per-pupil per-year? An increasing body of research shows with data what common sense tells us anyway: Money matters. Princeton economists David Card and Alan Krueger, for example, have shown that the more money spent on students' education, the higher their wages are likely to be in the future.

The reasons for the "money doesn't matter" excuse are many: Old folks may not want to spend any money on schools after their kids have graduated. Richer districts want to pretend that money doesn't much matter so they won't be forced to share more of their wealth with poorer neighbors. Public schools have historically been funded through local property taxes—and that has led to dramatic inequities. The "equalization" movement, which seeks to pool tax money at the state level for more equitable redistribution to schools, is a welcome step toward alleviating often-glaring discrepancies in teacher salaries, school facilities, and supplies.

A more delicate problem in school funding is the special education programs that have gobbled up an increasing share of school budgets. Federal legislation requires states to provide education to "all handicapped children," but federal funds cover only a tiny portion of the cost (about 7 percent). In New York City, the average spending per pupil is $7,918. But full-time special education students get an average of $23,598, while students in regular classes receive only $5,149. One student with cerebral palsy receives $100,000 worth of annual services, including a motorized wheelchair and special school and home services. The school board picks up the bill.

It is painful to balance the interests of a needy

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and vulnerable minority against those of the general population. But should physically and mentally disabled students have an entitlement to massive spending while students whose needs may be less obvious get shortchanged? For poorer families, the state does have a responsibility to care for seriously ill kids, but schools should not bear the burden. And families with the money to pay for a disabled child's special education should do so. At Washington, D.C.'s Lab School, highly regarded for its work with the learning disabled, a majority of students live in affluent neighborhoods. But as Thomas Toch reported last year in *The Washington Post*, 90 percent of the school's funding comes from D.C. and Maryland taxpayers. One husband and wife whose child is projected to cost the District $275,000 are both partners in large law firms and, Toch notes, likely earn upwards of $800,000 a year.

Money alone, of course, won't cure public schools' ills. Liberals like Jonathan Kozol, whose invaluable book *Savage Inequalities* documented abhorrent school conditions from East St. Louis to L.A., reject criticism of bad teachers, bureaucrats, and low standards. Those who criticize school bureaucracies, Kozol writes, lack "courage or originality." More money, he implies, is all that's needed. But Kozol's own stories show otherwise. In the South Bronx, for example, the kids went without writing paper or books partly because of school board members who were stealing supplies.

Lacking proper funds is not an excuse to do nothing now; many of the reforms outlined here—such as changing certification and tenure rules and expelling disruptive students—would cost nothing. But the public should meet schools halfway, giving them resources enough to truly excel, not just scrape by.

Those in wealthy districts may be tempted to dismiss the need for more money—and the threat to schools posed by bad teachers, bloated bureaucracies and too-low standards. But suburban schools, while clearly better-off, are not immune to the coming challenge to the public schools. After a wide-ranging series of polls and interviews, Public Agenda found support for public schools to be "lingering, but precarious"—and that's everywhere, not just in poor areas. Employers don't trust high school diplomas; parents don't believe their kids are learning even basic skills in reading and math; international comparisons show the U.S. lagging. Not every school system is in equal danger. But the system as a whole is clearly on the edge of a cliff.

The time is nearing when even the most loyal supporters of public schools will look for other options. Privatization—contracting out schools to for-profit companies—has not enjoyed notable success so far. But the idea of vouchers—giving parents the money to send their children to public, private, or religious schools—is gaining momentum.

In theory, vouchers would reward the best schools and force marginal ones to close. In practice, vouchers could mean a government subsidy to wealthy parents with kids at Exeter. Vouchers would also further balkanize schools; more middle class parents would flee, leaving poorer kids in a system with less money and less public support. But there is one form of voucher that makes sense now. Designed for poor kids stuck in the most desperate public school systems, it could only be used at schools that would accept it as full payment, and so those rich parents couldn't use it to help pay Exeter tuition. This is not a permanent solution: It still carries the danger of balkanization and does not solve the problem of kids whose parents are either too busy or too uncaring to "shop" for schools. But it would provide an opportunity for promising kids to escape to, say, a good parochial school.

This kind of voucher would also serve as a warning to all who defend the status quo. Teachers' unions, education schools, and administration bureaucracies have tenaciously resisted change and need to be forcibly reminded of the realistic possibility that, soon, there may be no status quo to defend.

The five principles outlined above could turn the schools around. It would take the zeal and commitment and money usually reserved for wartime. But it would be worth it. For reasons both moral and practical, schools are the country's backbone: To accept that one child should have less of a chance in life because they are born in the wrong school district, or consigned to a lazy teacher, is to reject the notion that everyone deserves an equal chance to get ahead. And substandard education spells economic death for our future.

This is a war we can't afford to lose. As society segregates further into privileged and disadvantaged enclaves, as it retreats into the isolation engendered by technological progress, the need for the "public"—public spaces, public discourse, and public schools—becomes ever more urgent. That sense of urgency should energize parents, teachers, principals, students—and all the rest of us—to demand good teachers, slim bureaucracies, and high standards. It should move us to care, and to act, before a nation at risk becomes a country at sea. □

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Tidbits & Outrages

ONE SOLUTION TO GRIDLOCK

Mistress Madison, a dominatrix and proprietor of a phone sex service in La Jolla, California, is running for Congress. She told the *San Diego Union-Tribune* that "I believe in having the United States of America be a dominant country again as opposed to being submissive" and that she wants to "whip Congress into shape."

YOUR TAX DOLLARS AT WORK, PART I

At taxpayers' expense, Navy veteran Michael Martin received a penile implant at a VA hospital. Just 10 months before, he had been released from prison after molesting two girls.

YOUR TAX DOLLARS AT WORK, PART II

The elite San Francisco law firm Wilson Sonsini Goodrich & Rosati was honored for performing pro bono work providing "extraordinary" services to the poor "with no expectation of being paid." They were given the award for a case in which, *The Wall Street Journal* reported, the firm requested $7.6 million in fees, took the state to court when it wouldn't pay, and eventually got $3.5 million from taxpayers.

OF ALL THE GIN JOINTS IN ALL THE CITIES IN THE WORLD...

In Chicago, two men tried to hold up a bar that was the site of a police party. About 100 off-duty officers were present.

TO KEEP UP WITH HIS COMPETITION, BARNEY HAS A NEW THEME SONG: I SHOOT YOU. YOU SHOOT ME. WE'RE A GREAT GANG FAMILY.

As an accessory to its "Mighty Max" playset, Mattel is offering a "Horror Heads playset," a "Cyberbrain, slavedroid playset," a "Nuke Ranger playset," and a "Vamp Biter player."

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Presumed Guilty

To racist police, innocence is no defense

BY JOSEPH C. KENNEDY

I have two sons. They attended public and private schools in New York and Washington, studied abroad in London, Rome, and West Africa, and graduated from a highly respected college in the Midwest of the United States. They never caused any trouble at school, at home, or in the streets. They were never on drugs, never involved in rape or carjackings. They "grew up right." Yet both have been arrested, jailed, and criminally charged, and we have heard the words "five to ten years mandatory" and "one to five years minimum."

My sons are black. And their experience has made clear to at least one black family that no black American—regardless of education, profession, wealth, or values—can be shielded from the capriciousness of racism. While Americans were divided over the O.J. Simpson verdict, most were appalled by the Mark Fuhrman tapes and their revelations of racism, manipulation of evidence, and perjury by a member of the Los Angeles Police Department. It would be easy and comforting to believe that Mark Fuhrman's behavior was an aberration, or that such racial biases and behavior toward blacks exist only in large city police departments like Los Angeles or Philadelphia. But as long as racism exists in American society, it will be found even among those sworn to uphold the law—in police departments and in criminal justice systems, in large cities and small towns alike.

I grew up in a small town in southern Ohio where there were few blacks. When I sat with my classmates in a restaurant after school, it was the police who would tell me to get out: "You are not wanted here." At the movies, it was the white policeman who told me to leave my seat and go sit in the back "where Negroes sit." In Texas, it was the white police who beat my brother and me on the head because we spoke of rights for blacks. It was the white police in Arlington, Va., and the District of Columbia who often followed my car, then pulled me over for no reason. So I did not consider the police my friends or protectors. Still, I wasn't prepared for what happened to my sons.

About 11 years ago, the phone rang in my down-

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town Washington, D.C. office. It was my older son, then 30. "Dad! Guess where I am? I'm at the Arlington County Jail. Some woman told the police she had been robbed by a 'black man with a beard.' She picked my picture out of some pictures. You can get me out with a $500 bond." I posted the money.

My son and I embraced when he was brought out. Although his voice had been calm and matter of fact on the phone, I could see the disbelief and fear in his eyes. I could not disguise the same in mine.

A young policeman told us that my son was charged with the attempted robbery at knifepoint of a white woman at about 8:30 on Wednesday morning at an office building in Ballston. The officer paused, then said, "That's mandatory five to ten years. It will help that he turned himself in."

Turned himself in! What was he talking about? The afternoon before, Sunday, a detective with the Arlington County Police Department called asking for our son. I told him he was out but would call back. When I gave my son the message, we both thought it had to do with a pledge card he had filled out to contribute to the Arlington County Fraternal Order of Police, or with the Arlington Yellow Cab he drove when he wasn't working on his music and video production. Monday morning, on his way to pick up his cab, he stopped by the Arlington County Courthouse. When he met the detective, he was immediately charged and arrested.

About a week earlier, while driving his cab in Arlington, a policeman had given him a ticket for a traffic violation. The police must have been on the lookout for a "black man with a beard." My son fit that description, so the police who gave him the traffic ticket must have phoned in his cab number to the criminal division, which then got his picture from his registered Hack-Taxi license.

My son had to establish where he had been on that Wednesday morning about two weeks earlier. For most people who have regular jobs, the answer would be rather simple, but when my son was not driving the taxi, he generally worked at home, alone. If he were at home on that morning, how could he prove it?

Fortunately, the roster at the Arlington Yellow Cab office showed he had taken out a cab that day starting around 6:00 a.m. As a radio-cab company, drivers respond to calls from a dispatcher who provides the name and address of the passenger to be picked up. If we could get the manifest, maybe it would show where he was that day at 8:30 in the morning.

That afternoon, my son called with jubilation. The manifest showed he had responded to a call at 8:15 in South Arlington. Destination: The Department of Agriculture Building on Independence Avenue in the District. The round trip would take at least a half hour. He could not have been in Ballston between 8:15 and 8:45, and indeed he had not been in the Ballston area that day. My son added that he had given this information to the detective who had arrested him. I didn't express it, but my joy turned to anger and fear. I didn't trust the police.

We found a lawyer who agreed to take the case for $1,200. When we mentioned the manifest, á la Perry Mason I fully expected the lawyer to talk with the arresting county officer and have the case dropped. Instead, he indicated there was nothing he could do; I suspected he thought my son was guilty. So using the manifest as a guide, my son and I went to the passenger's house. She remembered my son because they had talked about music. She willingly wrote a statement saying that on that specific day, she had been picked up at about

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8:15 and dropped off at the Department of Agriculture on Independence Avenue.

Several weeks later, we went to court. Our lawyer approached us and told us that the woman who had filed the complaint wasn't going to show up and that the case had been dropped. Just like that, it was over. But it never should have begun. Would an arrest have been made with the simple description "a white man with a beard"? What would have happened if there had been a trial and my son had not driven his taxi that day? Odds are he would have been added to the statistics of young blacks in prison.

Round Two

In 1991, at about 1:30 a.m. on a Sunday morning, I was awakened by a shout from my older son: "Dad! Dad!" I immediately ran to the wide-open front door, where I was shocked by a cacophony of sounds and a blur of sights—the flashing lights of Arlington County Police cars, a patrol wagon, the crackling sounds of police radios, and seemingly dozens of policemen in my front yard and on the road.

Our son came out. The left side of his face was swollen and covered with dirt, his eye nearly closed.

Stepping out into the yard, I saw my older son with his video camera. Nearby, a black policewoman with her gun drawn was yelling, "I'm saying stay back. If you get any closer, I'll arrest you for obstruction. Do you understand me?"

I heard my younger son, who was 30-years-old, cry out, "What have I done? What have I done?" Off to the left I saw our old green Granada in the driveway, and my son's friend standing on the far side of the car. Then I saw my son —spread-eagled and face down on the hood of a police car. Walking past the drawn gun, I saw he was handcuffed. He was crying again—"What have I done? Why are you arresting me? There must be a reason." My older son, my wife, and I called out, "What has he done? What is the problem?" The only response was, "Get back, get back or you will be arrested." It was chaotic. When my son cried out in pain, "Oh God, please get off me, I'm not doing anything," one policeman punched him in the side, then the other shook him and pushed him further into the hood of the car.

I called out, "That's my son, let him up. We live here. Why are you arresting him?" The response: "You are bordering on obstruction of justice. We'll arrest you." One of two policemen who had been standing off somewhat detached said, "Let him up for a second. If you want to know what is going on, ask the arresting officer." Several times we called out, "Who is the arresting officer?" Finally a cocky voice answered, "I am making the arrest. Go put some pants on." (When my son had awakened me, in my haste I had run outside in my nightshirt.)

"Don't worry about my pants," I said. "That's my son, you are standing in my yard; before you put him in that patrol wagon, tell me what the charge is."

"If you want any information, call my supervisor. If you want to make a formal complaint come to the county jail. They'll be charged when they get to the station."

As they put my son, along with his friend who was also handcuffed, into the patrol wagon, I could see his face and jacket were covered with mud. At the County Detention Center, after a half hour wait at three in the morning, the magistrate appeared. "Your son was charged with assault and battery on a police officer, and his friend with obstruction of justice." After collecting $1,000 bond for each, he hung up his "Out to lunch" sign and disappeared.

The arresting officer came out. His uniform was clean, his face unmarked. In the same cocky voice, he remarked, "I didn't recognize you with your pants on." Our son came out. The left side of his face was swollen and covered with dirt, his eye nearly closed. His heavy jacket was ripped and covered with mud. So were his trousers.

We immediately went to the hospital. "He's pretty well beaten up," the emergency room attendant remarked. After about an hour of examination, the doctor released my son. His face and eyes were swollen, he had bruised ribs, and there were cuts on his wrists from the too-tight handcuffs. The doctor recommended he see a psychiatrist.

When we left the hospital, the sun was coming up. My son, his friend, my other son, my wife and

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The Washington Monthly

JOURNALISM AWARD

NOVEMBER 1995

Steven Pearlstein
The Washington Post

With ambitious scope and impressive depth, Pearlstein attempts to explain the forces that have transformed the modern economy, keeping workers' wages stagnant as pay at the top skyrockets. Pearlstein describes different industries that have been transformed by "winner-take-all" dynamics, documents the drift toward corporate giantism, and looks at why solutions to our growing economic gap are so elusive.

Kevin Corcoran
Fort Wayne News Sentinel

Business interests spent millions of dollars trying to influence Indiana's 1995 General Assembly. Corcoran's probe shows how they were rewarded by the furthering of their legislative agenda, which included gutting minimum wages on public construction projects and curbing product-liability lawsuits.

Laurie Mylroie
The National Interest

This provocative essay, a fresh look at the World Trade Center bombing, suggests that evidence points to Iraqi state sponsorship. Mylroie also found that lack of coordination between the Justice Department and national security agencies means that national security gets short shrift in dealing with domestic terrorism.

The Monthly Journalism Award is presented each month to one or more newspaper, magazine, radio, or television stories (or series of stories) that demonstrate a commitment to the public interest. We are particularly interested in reporting that explains the successes and failures of government agencies at all levels and of other institutions such as the media, corporations, unions, and foundations that contribute to the existence or solution of public problems. Please send nominations (including two copies of the article or broadcast text) to Monthly Journalism Award, 1611 Connecticut Ave. NW, Washington, DC 20009. Nominations for March stories are due April 10.

I drove home in silence, lost in thought. How could this have happened? Our son had always been kind, gentle, and courteous. He had been brought up with values of right and wrong, of obeying and upholding the law. He had never been in trouble. Over the past months he and his friend had been working extremely hard, and one of his TV productions would be airing soon. Yet he had been beaten in his own driveway. As a family, we had lived in Arlington for 17 years, paid taxes, voted, took pride in our neighborhood, contributed to civic affairs, including the Fraternal Order of Police. We were good citizens. But we were black. It all hurt. Whatever illusions of security from racism and injustice that may have remained since our first son's arrest were totally shattered. It hurt even more that my son—bewildered, handcuffed, in pain—had yelled out to me for help. I had always tried to be there for him, but this time I could not help him.

Over the next few months, we got caught up in a criminal system that seemed characterized more by racism and vindictiveness than by a regard for right and wrong, truth, and justice. Despite the dictum "Innocent until proven guilty," my son had to prove he was not guilty.

We went to a highly recommended lawyer, part of a large, white, Washington-based firm. Our son explained what had happened. He and his friend had stopped at a popular all-night diner on Columbia Pike in Arlington. Sometime after 1 a.m., they left and drove leisurely in the old family 1975 Granada the 20 or so blocks along Columbia Pike, up the short hill, and then down the short steep hill which led to the family home—the last house on a dead-end street.

Unknown to them, shortly after they left the diner, an Arlington County Police car had started following them at a distance with its lights off. Halfway down the hill—about five seconds from the house—they were startled by the flashing lights of a police car. They pulled into the driveway and stepped out. A few seconds later a white policeman, flashlight in hand, bounded from the police car which had pulled up alongside the yard. My son called out "Officer, what seems to be the problem? Can I help you?"

"Get back in the car."

"Officer, what seems to be the problem? I live here. This is my house. May I help you?"

In a high, agitated voice the officer

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yelled—"Get back in the car." My son's friend got back in on the passenger side. As my son opened the door to get back in, the policeman, who was now standing in the driveway at the back of the car, called out, "Come back here." My son knew there had been problems with the rear tail lights, but they had been fixed a few days earlier.

Remembering being stopped by white police officers on several other occasions in Arlington, on the New Jersey Turnpike, and in California —once at gunpoint—he walked slowly to the end of the car. He deliberately held his arms away from the sides of his jacket so there could be no mistake about his reaching for anything.

When he reached the end of the car, without a word the policeman suddenly grabbed for his right wrist. As my son pulled his arm away, the officer hit him with a vicious blow to the head, knocking him to the ground. He then grabbed his jacket collar and dragged him across the driveway to the opposite side of the car, kicking him in the side several times along the way. When the policeman saw that my son's friend had gotten out of the car, he yelled, "Get back in the car or I'll bust your head too." The policeman then kicked him a few more times, twisted his right arm, forced him face down into the wet leaves and rocks, and handcuffed him.

Shortly afterwards, another patrol car arrived with a white male officer and a black female officer. They grabbed my son and threw him on the hood of the car. Other police cars and a patrol wagon arrived. When my son cried out that they were hurting him, one of the officers punched and pushed him. His friend, who was once again standing alongside the car, called out, "Why are you doing that?" The black female officer yelled, "Shut up. You are obstructing justice and resisting arrest," and handcuffed him.

At the police station they were told what the charges were. My son was asked to sign some papers. When he declined, the police said, "That's all right, we'll sign them for you." The police officer reported that he had followed the car because the tail light was out. He had tried to radio in the license number, which would have given the registered address of the vehicle, but his radio wasn't working.

As the car descended the hill, he turned on his overhead lights, but the car did not stop. Realizing

The Washington Monthly

Journalism Award

DECEMBER 1995

Kurt Eichenwald
The New York Times

Kidney patients are bumped off dialysis machines prematurely, equipment that should be disposed of is reused, and the duties of doctors are shifted to employees with less training. This series is a brutal portrait of kidney dialysis companies' attempts to bolster profits at the expense of patients.

Ted Wendling
Cleveland Plain Dealer

In a stark illustration of an agency failing to fulfill its mission, Wendling found that over a dozen civil rights commission investigators in Ohio routinely dismissed cases in order to meet quotas and avoid discipline. Even worse, many of the commission's employees have filed lawsuits and grievances alleging that the commission violated their civil rights.

***New Times* (Phoenix)**

Arizona's governor touted his reform programs as success stories; the country's Republican leaders eagerly anticipated using Arizona to bolster devolutionary aims. But a team of reporters found that many of the state's key programs were actually underfunded paragons of waste and mismanagement.

Scott Shane and Tom Bowman
The Baltimore Sun

The Central Intelligence Agency gets most of the press attention, but the National Security Agency is the real behemoth. This vivid six-part series explores how the NSA—the country's largest, costliest, and most secretive intelligence agency—is struggling to redefine its mission in the post-Cold War era.

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that he had entered a dead-end street, his radio now working, he called for backup. The officer said that the driver had refused to get back in the car, had walked toward him in a menacing manner with his hands near the pockets of his bulky jacket, and without provocation, struck him. In self-defense, the officer was subduing him when another car with two officers arrived.

As our lawyer began discussions with the Commonwealth attorney's office, the true nature of the system began to unfold. The Commonwealth office suggested my son plead guilty—a suspended sentence would be recommended. The next suggestion was to enter a plea of no contest—not admitting guilt but recognizing there probably was enough evidence to secure a guilty charge. Again, a suspended sentence would be recommended, but there could be no civil suit afterwards.

The Commonwealth was dismayed that we turned down their suggestions and that we were prepared to proceed to trial. Their determination to win at any cost soon became evident. Several days before the trial our lawyers learned that the Commonwealth attorney was going to present a motion to the District Court judge to have the case heard directly before a jury instead of the usual first step of a hearing before a judge. Their argument was that the case had received too much publicity. In fact, on the advice of our lawyers, we had deliberately avoided any publicity, even though we had been approached by the District and Arlington press and the NAACP. But a number of our friends were incensed and had written the Virginia senators, the governor, and the Arlington County Board of Supervisors.

If found guilty before a judge, my son would get a second chance before a jury, but if his first hearing was before a jury, he would have no second chance. The Commonwealth attorney's office undoubtedly believed its chances of a conviction were much better with a jury selected from the Eastern District of Virginia—which would more likely believe a black man had assaulted a police officer than that a black man had been beaten by that policeman—than with a judge. The assistant Commonwealth attorney—the prosecutor in the case—also bragged to one of our lawyers that "the judge always sides with the prosecution" in deciding on a judge or jury hearing. Even our lawyers were convinced that the judge would probably accept the motion and we would go before a jury later.

Trial By Error

The judge called the case at 10:00 on a Thursday morning, nearly two months after the beating and arrest. The assistant Commonwealth attorney confidently explained to the judge that since the case had received publicity and because people were interested—letters had been written to the county board and high officials—the case should be heard by the people, a jury, rather than before a judge.

Our lawyer countered by stating that one of the most cherished rights of the Constitution is that of free speech, of speaking out when there is a belief that an injustice has taken place—and furthermore he had full confidence in the judge's right and ability to hear the case.

The prosecuting attorney apparently did not realize she was actually questioning the judge's competence to rule on a case which had received "publicity." The judge ruled the case would be heard in her court that very afternoon. The assistant Commonwealth attorney, the Commonwealth prosecutors, and the three police officers were visibly shaken by the decision. For us, there was a ray of hope.

That afternoon the judge asked all of those who were to testify for the defense to leave the courtroom—our older son, my wife, myself, and my son's friend (whose charge had been dropped). He was alone with his lawyers. We waited outside the courtroom. As the minutes turned into hours, our tensions and anxieties mounted.

After about three hours, our son came bounding out of the courtroom with a huge radiant smile—perhaps the most radiant smile I have ever seen. The judge had thrown the case out, saying, "The police must be held to a higher standard than I have heard here today."

The arresting officer who had brought the assault charges had been the first witness. With precision, persistence, and extraordinary skill our lawyer caught him in inconsistencies and lies. Finally, the officer totally unraveled, broke down, all arrogance gone, and admitted that he had followed their car for nearly 20 blocks with his lights off, not because the tail light was out, but because there were two black males in an old car early in

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the morning in a predominantly white Arlington neighborhood. He had not attempted to use his radio to check on the license. When the car turned off Columbia Pike, went up the short hill, and suddenly turned onto a dead-end street, he turned on his flashing lights and radioed for back-up. When two black men, both larger than him, stepped out of the car on that dead-end street bordered by woods, he panicked. He called the driver to the back of the car and grabbed for his arm. When the driver pulled his arm back he hit him, knocked him down, dragged him across the driveway through the mud, kicked him in the chest and ribs several times, and then handcuffed him. There had been no struggle.

The officer admitted he had followed the car because there were two black males in an old car in a predominantly white neighborhood early in the morning.

The white male officer who had appeared on the scene with the black female officer was the second witness. Not knowing the first officer had admitted everything, he took the stand and repeated his story—he and his partner had arrived in time to witness the "struggle" and handcuffing. At that point, without calling the black female officer, the judge threw the case out.

By accident, the mother of my son's friend, who had sat in the courtroom throughout the proceedings, walked into the large room where the assistant Commonwealth prosecutor, other Commonwealth prosecutors, and the three police officers were standing and sitting. With shock, bitterness, and anger, they were lamenting, "What went wrong? How did we lose? How could the judge do that?" They were consumed not with serving justice, but with winning.

The police officers who were sworn to uphold the law had lied and filed false reports. The officers had lied to the Commonwealth Attorney. (Even more disturbing, maybe they had not lied and there had been a cover-up. An investigation by the department's internal review arm had found no cause to question the officers' reports.) They had lied on the stand. Their lies or the coverup could have sent my son to prison. But justice had prevailed, thanks to a lawyer who believed in "innocent until proven guilty" and a judge who was concerned with the truth.

Pursuing the civil suit we filed was almost as nightmarish as what had come before. In deposition, the arresting officer admitted that similar charges of police brutality against blacks had been brought against him, but no official records existed because every few years the police records are expunged—the slate wiped clean. When it was discovered that the training materials used at the police academy were filled with racial and ethnic stereotypes (which meant the police were being trained to respond to stereotypes rather than to reality), the county attorneys worked mightily to prevent these materials coming before a jury.

The county's most effective tactic, however, was "financial exhaustion"—prolonging the pre-trial proceedings as long as possible with the knowledge that our personal finances would run out before those of the county. Ironically, we were fighting against ourselves because our tax dollars were supporting the county system.

In the end, the system won. Our lawyers advised us to accept a financial settlement as well as an agreement that the police academy would revise any racially stereotypical training materials. We settled because we knew the proceedings could go on indefinitely. The county could wear us down financially. We could go before a jury drawn from the Eastern Virginia District, and although the police admitted guilt, the jury could be unsympathetic to a young black and award us nothing. If they did award us something, the judge could decide to reduce the amount. Why spend more money and time and take that chance?

While numerous brutality complaints had been filed in Arlington County in the past, no case had ever been won. We were the first. After 18 months, the ordeal that began on an early Sunday morning was over. But the arrest of our two sons, the long, drawn-out helplessness and pain, the feeling that a lifetime of family values and beliefs were being questioned, the anger that my sons faced prison terms simply because of their skin color, cannot be forgotten. Neither can I forget that because we are black, it could all happen again. □

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The Senator, The Judge, His Wife, and The Coverage

Hillary and Bill aren't the only ones with some explaining to do in the Whitewater saga

BY GEORGE CLIFFORD III

In July 1994, Senator Lauch Faircloth and Judge David Sentelle lunched together in the quietly elegant Senate dining room. Just days later, a three-judge panel headed by Sentelle removed Robert B. Fiske Jr., a moderate Republican, from his position as independent counsel in the Whitewater affair—and replaced him with an active Republican partisan, Kenneth Starr.

Sentelle was supposed to be making his decisions free from political influence. Faircloth was a leader of the Republican charge against the Clintons on Whitewater; just weeks before, he had written Attorney General Janet Reno to complain about Fiske. So the lunch raised considerable controversy: Had Faircloth used the occasion to lobby or pressure Sentelle? Fiske's axing—after nine months and $2.5 million worth of work that had yet to produce material damaging to the Clintons—was precisely what Faircloth was after.

A year later came the news that approximately five months after the lunch and Fiske's replacement, Faircloth had hired Jane Oldham Sentelle, the judge's wife, as a receptionist for his Senate office. She had started in January 1995 at a salary of $20,000, which was later raised to $22,500.

That's more or less equivalent to the amount Rose Law Firm earned from its work for Madison Guaranty Savings and Loan in the mid-eighties—work that has come under intensive scrutiny partly because then-Governor Bill Clinton may have helped steer it his wife's way. As the recently released billing records show, the firm earned approximately $21,000 from representing Madison Guaranty; Hillary Clinton's take was about a third of that total.

Hillary Clinton used poor judgment by participating in an apparent conflict-of-interest; she may have even been modestly on the take. But the same could be said of the Sentelles. At the least, a senator and a ranking federal judge had thumbed their noses at the principle of keeping special prosecutors insulated from even the appearance of political pressure—the principle the Sentelle-led panel had cited in replacing Fiske, who had been appointed by Janet Reno.

And so for a Whitewater-fixated press corps avidly sniffing long-dead trails between Hillary Clinton and Madison like bloodhounds, Sentelle's hiring should have been a story with legs. Instead, the story of Jane Sentelle's job got almost no play.

George Clifford III is a Washington writer.

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The Wall Street Journal ran a 28-word item on the front page in its "Washington Wire" Column. The Associated Press sent out a story by veteran reporter John Solomon that included comments from analysts criticizing the hiring.

But *The Washington Post*, *The New York Times*, and the *Los Angeles Times* did not pick up the AP story, even as a blurb, nor did they assign their own reporters to probe it. "I hate to say this," Andrew Rosenthal, Washington editor of *The New York Times*, told me when I asked him about the story, "but I don't remember it." "We should have had something on that," said *The Washington Post*'s Al Kamen, who added that the story was discussed in the newsroom but never made it into the paper. Editorial writers and columnists were almost uniformly silent. The only exception: a guest op-ed by Gilbert Cranberg in *The New York Times*, where he argued that the judges that appoint independent counsels should have to abide by the judicial code of ethics.

The press treatment of the Sentelle-Faircloth indiscretion was no aberration. Whitewater has been characterized by a strange bifurcation: While a zealous press corps chases every lead about the Clintons, it ignores hints that the GOP investigation may be suspect as well.

Whitewater isn't only about what the Clintons did or didn't do; it is also a story of the system being used and abused by the Clintons' political opponents. Many of those opponents have the scent of conflicts of their own—and the stench of partisan agendas. Sentelle has rock-solid Republican credentials. He's best known as the judge who overturned Ollie North's Iran-Contra conviction, and he had built a reputation before joining the federal bench as a firebrand Republican county chairman in North Carolina. He was the protégé of another strongly anti-Clinton North Carolinian, Jesse Helms, who also dined with Sentelle and Faircloth that day in the Senate dining room.

The panel Sentelle headed appointed a man with some possible conflicts of his own. Kenneth Starr was U.S. Solicitor General under the president Clinton defeated. Just prior to his appointment, Starr had announced he was at work on a friend-of-the-court brief in the Paula Jones case; the brief was to argue that Clinton's incumbency did not shield him from civil lawsuits. Starr is also an active contributor to Republican campaigns, and he has done legal work for the Republican National Committee *since* becoming independent counsel.

Then there's Lauch Faircloth. A North Carolinian and former Democrat, he has gone to extraordinary lengths to demonstrate his Republican bona fides. He has pushed Whitewater arguably harder than any other member of Congress; indeed, he has been so aggressive that *Al D'Amato* had to rein him in.

Like other Republicans, Faircloth has seized on Bill Clinton's possible conflict-of-interest when he was governor of Arkansas and technically in charge of regulating the savings-and-loan of James McDougal, his partner in the Whitewater land deal. The press has dutifully followed Faircloth's lead, though reams of copy have yet to prove that Clinton abused his position.

But Faircloth has a possible conflict of his own. He sits on the Senate Banking Committee, which oversees all banking legislation (as well as the Whitewater hearings). And as of 1993, according to a recent *Business Week* report, he owned *$850,000* of bank stock. Accusing Faircloth of using his position to enhance his stocks would be premature. But given the scrutiny Clinton has received for a similar situation involving far smaller amounts of money, it would be fair to look into it.

A telling comment about the way Whitewater has been played came from a paper that did mention Jane Sentelle's hiring. *The Washington Times*, which frequently headlines with the latest Whitewater mini-scandal, mentioned Jane Sentelle's job in Greg Pierce's "Inside Politics" column on page A5. "It remains to be seen," Pierce wrote of the hiring, "whether politicians and the media will lose their lunch over this."

They didn't. Senate Democrats said nary a word about the hiring—and neither did a reactive media. In the Whitewater affair, the press has been herded by whoever cracks the loudest whip, and that's usually been the Republicans. After all, Whitewater itself didn't become a story overnight. Clinton adversaries like David Bossie, formerly of the right-wing lobby Citizens United, pushed for months to get it serious attention in the mainstream media. Where is Bossie now? The same place as Jane Sentelle—on Faircloth's payroll, as an assistant to the senator. □

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Memo of the Month

OFFICE OF THE GENERAL COUNSEL
Division of Operations-Management

MEMORANDUM OM 95-65 August 23, 1995

TO: All Regional Directors, Officers-in-Charge, and Resident Officers

FROM: B. Allan Benson, Acting Associate General Counsel

SUBJECT: Form Number Change "Notice to Employees"

It has been brought to our attention that in at least one election, employees may have refused to vote because of their religious beliefs; that is, as regards Form NLRB-666 (Notice to Employees), they interpreted "666" as the NLRB's display of the "mark of the devil." Therefore, to ensure the form's number does not discourage voter participation, the form has been renumbered to Form NLRB-5492 and 5492 SP (Spanish version).

Replacement versions have been ordered and will be sent to you by August 31, 1995. Forms with the "666" should be discarded when the new forms are received.

If you have any questions, please contact your Assistant General Counsel.

B. A. B.

MEMORANDUM OM 95-65

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The Murder of *New York Newsday*

How Wall Street's obsession with the bottom line killed one good newspaper—and threatens others

BY SYDNEY H. SCHANBERG

The Baltimore air was muggy on the night of July 20, 1995 as Mark Hinckley Willes returned to his hotel suite overlooking the harbor. The newly chosen chief executive of the Times Mirror Co., one of the country's leading newspaper companies, had just come from meetings where he had directed the executives of *The Baltimore Sun* to make drastic cuts in their work force. Six days earlier in Manhattan, he had issued an edict even more draconian: the killing of *New York Newsday*. The 10-year-old New York City daily had been a bold experiment in urban newspapering. It had cost roughly $100 million to build it into a journalistic success. As the ax fell, the paper was about to turn a profit.

I had come to the Harbor Court Hotel on that sticky night in Baltimore to ask Willes, after a mere two months in the newspaper business, how he came to his decision. I had been part of *New York Newsday* almost from its start and in newspapers for 36 years. I wanted Willes to justify his act.

The 54-year-old chief executive nudged his shoes onto the hotel carpet and eased his lean jogger's frame into an easy chair for the interview. "Would it surprise you to know," he began, "that I have a romantic feeling about newspapers?"

"Yes, it would," I replied. My next thought was that if his "romance" with newspapers was a sample of what was to come, this conversation was going to be a landmark moment in surrealism.

There had been nothing surreal about the announcement of *New York Newsday*'s death just six days before. It was very real and very grim. The well-suited men in the Manhattan boardroom embodied all the plot lines in this tale of corporate homicide. The handful who had created the paper a decade ago—men who loved the gritty, messy world of journalism—had seen their influence slowly ebb away. The moment was a stark affirmation that power had passed to those who saw the world through ledgers and dividend checks, for whom pleasing the quick-return boys on Wall Street was paramount. Willes spoke for them.

The picture window behind him twinkling with

Sydney H. Schanberg was a columnist and associate editor at New York Newsday. *As a* New York Times *correspondent, he won a Pulitzer Prize for his reporting in Cambodia in the early 1970s. His book* The Death and Life of Dith Pran *was the basis of the film* The Killing Fields.

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Baltimore's soft night lights, Mark Willes, born and raised in Salt Lake City, pleasant of mien, well-educated, and articulate, wanted to talk about his life and his business philosophy. He had taught at the university level, served the public at the Federal Reserve Board, and then turned to "the mission of business," spending 15 years with General Mills.

He spoke in lofty terms of bringing quality to his company's newspapers. "I believe deeply and passionately in what newspapers are and what they do," he insisted. His intention was to achieve an "exquisite balance," he said, between the push for profits and the need for journalistic quality. Newspapers are a business, he said, but "a very, very special business."

New York Newsday wasn't killed because Willes worried it would run forever at a loss. It was killed because a paper of its quality was not going to earn the massive profits that would make him a hero on Wall Street. Willes hardly sought to disguise this truth. At a Times Mirror "leadership" gathering in Pasadena last September, Willes said that the closing of *New York Newsday* "had nothing to do with the quality of the people who were there. It had nothing to do with the quality of the effort. The journalistic product was absolutely superb. It had to do with the fact that in that market we were never going to make any money of significance."

Earning a decent and consistent rate of return wasn't enough; it had to be "money of significance"—a phrase crafted to satisfy the Wall Street traders. Indeed, Wall Street fairly burst its buttons when Willes shut down *New York Newsday*. ("Wall Street danced on *New York Newsday*'s grave yesterday," wrote the New York *Daily News*.) The "buy" recommendations on Times Mirror stock went out instantly, and the share price leapt upward. The winners were the majority stockholders—namely, the Chandler family of Los Angeles—who control the board of directors and who had hired Willes to increase their fortune. He did so handsomely. At this writing, the share price, which had dipped below 20 before Willes' arrival, is up around 33—having added about a billion dollars to the Chandlers' worth.

There's nothing sinful about making money. Neither "profit" nor "capitalism" are dirty words. Businesses must earn to survive, and without entrepreneurs there would be no job growth.

The problem is, this healthy process has taken an unwholesome turn. Increasingly, the story of the modern economy is one of the corporations that make huge profits their sole raison d'être, devaluing their ties to their employees and to the communities.

In our conversation, Willes argued that the only way a large corporation can succeed is to insist that each of its divisions produces the same level of profit—one that is equal to or beyond the industry average. But wherein lies his "exquisite balance" between quality and profits if every newspaper in the company has to earn the identical rate of return, regardless of varying market conditions in different cities and regions? In fact, his exquisite balance was nothing more than a straight line, no deviations allowed.

Surely he must have been aware that no newspaper in New York City, not even *The New York Times*, earns anything close to the level of operating profit (i.e. the industry average for big newspaper companies) that he is demanding. At the moment, the average is 16 to 17 percent. The *Times* makes less than 8 percent but is financially sound nonetheless.

And yet suddenly, pressures for greater profits are surfacing even at the *Times*. Discontent is being openly expressed by bottom-line, outside businessmen recently named to the board of directors, and also by some of the Ochs/Sulzbergers themselves—the family that has owned and run the *Times* for 100 years. The dissenters are targeting the paper's traditionally high spending on its news product and urging entry into the entertainment business. It's almost as if the moves by Times Mirror, also a prestigious newspaper company, have conferred respectability on the cutting and slashing—increasing profits at the expense of editorial quality—that such big chains as Gannett and Knight-Ridder have long been famous for. It's open season on newsroom spending. How far from there to sunset for good newspapers in America?

The Times Mirror papers—in Baltimore, Long Island, Hartford, and Los Angeles—have already seen a decline in quality. In the short run, they may show higher profit margins. But I would wager that neither their circulation nor their advertising income will increase significantly. With so many options for entertainment and information, readers may react to the decline in quality by spending their time and money elsewhere. Willes's shortsighted economic doctrine—a doctrine that seems

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on its way to becoming the American CEO manifesto—is not just harsh to workers and communities. It is also bad business.

Writing Their Own Obituaries

In jobs lost and lives interrupted, *New York Newsday*'s death is no more or less important than the shuttering of an auto factory or massive layoffs at a telephone company. Still, newspapers have played a special role in American life. From the beginning, whether in frontier towns or teeming cities, newspapers have been an essential vehicle for passing on the customs and lore and standards of the nation. Today, as newspapers are killed, dumbed down, and homogenized, fewer and fewer expose the abuses of the powerful or illuminate the lives of the powerless, a handful of exceptional papers notwithstanding. *New York Newsday* was one of those exceptions.

New York Newsday wasn't killed because Times Mirror feared it would continue to lose money. It was killed because it wouldn't earn "money of significance."

Over the past decade, nearly 150 papers have shut their doors. Last year alone, besides *New York Newsday*, obits ran for *The Baltimore Evening Sun*, *The Houston Post*, and the *News Tribune* of New Jersey. One of the two Detroit papers could be next. Most of our large cities have been reduced to but one newspaper—which means only one voice, one opinion, one view of the world. Meanwhile, 80 percent of the papers that have survived are chain-owned. The independents keep losing ground.

My first taste of newspapering came when I wrote for an army weekly during my military service in Europe Afterward, in 1959, I went to work at *The New York Times* as a copyboy. In the years to follow, I covered the state government in Albany and was then posted overseas to India. Eventually, I went to Southeast Asia, where the people of Cambodia, helpless pawns in the crossfire of the Vietnam War, became my beat and my obsession.

I learned there that a reporter's life is a continuum. Cambodia's horrors were staggering, but there are horrors in America, too. We have poverty and discrimination; we have our share of public officials and private lords who rule with a callous hand. Cambodia's suffering was on a grander scale, but it's really the same basic story.

When such stories happen, good reporters —though they think of themselves and their newspapers as providing some value to the community—do not sit down at their typewriters, or now their word processors, and say to themselves: "I'm doing this as a public service." What they do is to sit down and write the story out of visceral need. It happened, and it has to be told.

You write first for yourself, to get it out of your gut. And, then, you write for the reader; you summon your craft to try to describe what you've experienced with enough skill to make others see and feel as you did. This is what Quality newspapers and newspaper people do. This is what *New York Newsday* did—before it was killed.

What brought me to *New York Newsday* was an unfortunate experience at the *Times*, where I had become the city editor and then started the paper's first opinion column on local affairs. In the column, I had rattled a lot of influential cages and stepped on some big toes. Some of the projects and people I criticized were supported in the paper's editorials. In July 1985, four years after I started the column, it was abruptly "discontinued." It wasn't a great day for me, or for the First Amendment, but I understood. I resigned.

Soon thereafter, David Laventhol, publisher of the Long Island paper *Newsday*, who was starting up its city offspring, *New York Newsday*, asked me to come over and write my column in a choice spot in the new paper. It would also run in the mother paper. Laventhol promised me independence, giving his assurance that no matter how controversial the topic or my commentary on it, there would be no interference. He kept his promise.

Many people had helped launch *New York Newsday*, but it was Laventhol's child. The *Newsday* publisher had conceived it virtually alone and then had lobbied and cajoled and finally sold it to his superiors at Times Mirror. They bought the idea because they knew him as an especially sound and creative newspaperman and because it made eminent sense—still does.

Newsday had become one of the country's top 10 quality dailies, with a circulation above 500,000, but Long Island was surrounded by water

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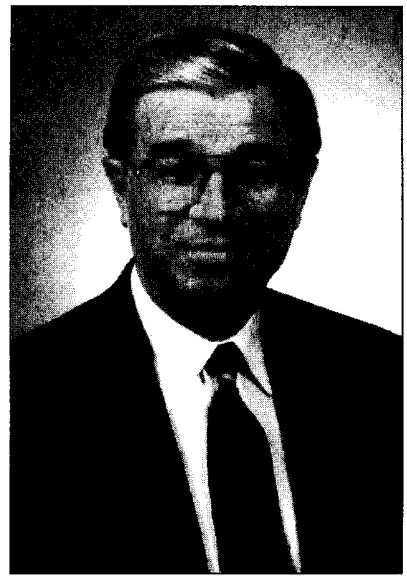
on three sides and its population and economy had both leveled off. So the paper had nowhere to expand but west to New York City.

Laventhol had built a reputation as an innovator, first at the late *New York Herald-Tribune* and *The Washington Post*, and then at *Newsday*. He also earned a reputation as a player of the ponies, his sharp, mathematical mind able to whiz through the racing sheets and absorb the horses' past records and finishing times. Around the office, he was known as "Clocker Dave." Indeed, it took a touch of gambler's nerve to move into a tough newspaper market like New York City, where there were already three papers.



Mark Willes: "I have a romantic feeling about newspapers"

Not long after getting the new paper up and rolling, Laventhol was plucked by Times Mirror for larger roles in the parent company. Still, he found time to watch carefully over his creation, protecting it from detractors.

By 1987, Laventhol was Times Mirror's president. In 1989, he was given the added roles of publisher and CEO of the *Los Angeles Times*, the company's flagship paper. He seemed on his way to being named the next CEO of Times Mirror—the natural successor to Robert Erburu, who was nearing retirement.

Then suddenly, in 1993, Laventhol was stricken with Parkinson's Disease. No longer strong enough to carry the same workload, he stepped down from his senior posts on Jan. 1, 1994, but remained as editor-at-large. Then 60, Laventhol told friends he was now "off to the side." His ability to protect *New York Newsday* had been diminished. Laventhol was worried. If his urban experiment were to be snuffed out, he knew it would not likely be attempted again at any media company.

Why was this experiment special? For starters, *New York Newsday* set out to cover the whole city, not just upscale Manhattan but all the boroughs, all the new immigrants, all the minorities, all the working people from housekeepers to nurses to teachers to subway motormen, all the middle class, the school children, the cops and the firefighters, the poor as well as the ruling elites, the panhandlers and the penthouse crowd. *The Daily News* and *The New York Post* were relatively downscale tabloids. And the *Times* was writing for the upper income brackets, mainly covering Manhattan and neglecting the city's four other boroughs, home to the new immigrants and the working class. *New York Newsday* sought a readership niche somewhere between these two poles.

Just as important, *New York Newsday* was independent. Having no history in the city, it carried no burden of sacred cows, no debts to local politicians that needed paying, no favors owed to advertisers. This gave it an immediate journalistic advantage over the three other papers, all laden with generations of such baggage.

The prospect of journalistic freedom and the romantic lure of working on an underdog, pioneering paper instantly drew to its staff a flock of talented reporters, editors, and photographers. Kate Phillips came from North Carolina, Merle English from Jamaica, Edna Negron from the ranks of the city's public school teachers, photographer Viorel Florescu from Romania.

Bureaus were quickly opened in the "outer boroughs" of Queens, Brooklyn, and the Bronx, some of them in storefronts where pipes leaked, and the heat was sporadic. Many of the reporters grew up in these neighborhoods; more than a few still lived in them.

There were many innovations. Dennis Duggan's subway column, for example. No New York paper had ever before covered the subways full-time—even though this humming underground hive was a city of its own, carrying several million New Yorkers and visitors to and from the various pieces of their lives every day. An immigration reporting team was formed to chronicle the paths of the newcomers from Asia, the Caribbean, and Latin America.

The rival papers regularly flattered *New York Newsday* by trying to imitate its innovations, but the new paper stayed ahead. A "Student Briefing Page" on current affairs—in Spanish and English—was a singular illustration of newspapers as education. It drew 30,000 letters a year. The gay-

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world column, written with joyous wit and candor by Frank DeCaro, also drew fresh attention. A very personal take on being a gay man in the nineties, the column was an entirely new area for a major daily newspaper.

The paper's difference and independence showed vividly in its coverage of city and state government and in its investigative work. The subjects of these stories were forever badgering *Newsday*'s editors over the phone, demanding retractions. This became standard operating procedure for Mayor Rudolph Giuliani, but while the other tabloids would often bow to his demands, *New York Newsday* would not. When Michael Powell, the paper's City Hall bureau chief, refused to soften his aggressive coverage, his access to the mayor's press office was cut off. Unfazed, Powell kept up the pace, breaking stories about people thrown off welfare without good cause and about the impact of budget cuts that City Hall was trying to downplay.

Today, as newspapers are killed or dumbed down, fewer and fewer expose the abuses of the powerful or illuminate the lives of the powerless. *New York Newsday* did.

So successfully did *New York Newsday* do its job that *The New York Times*, to protect its circulation, had to quickly expand its city staff and add pages in its metro section, at considerable cost, in an effort to match the coverage.

Providing the ruffles and flourishes for the new paper was its impressive orchestra of columnists—the paper's signature. They included the wise and venerated Murray Kempton, the sandpapery Jimmy Breslin, and the young and lilting Jim Dwyer.

In its short 10-year life, in addition to a dozen honors for reporting on education, politics, transportation, and neighborhoods, *New York Newsday* garnered two Pulitzers for its city journalism—one to Dwyer in 1995 for commentary and a 1992 award for the staff's coverage of the Union Square subway crash in which five people were killed and more than 200 injured. *The New York Times* has won just three city prizes over the entire 78 years of the Pulitzer's existence.

None of this is to suggest that the paper was perfect. Like all of us, it had flaws. For one, the paper's marketing and publicity efforts were confused and ineffective. They never identified the audience they were targeting or defined the paper that way.

Further, the editor of *New York Newsday*, Don Forst, though able in many ways, was wedded to the old and sensational tabloid traditions, whereas *New York Newsday* was, for the most part, a tabloid in size only. ("A tabloid in a tutu," it had once been called.) Forst tended to use the front page for stories of sex, violence, and celebrity gossip, bypassing and downplaying important hard news inside the paper. Many on the staff felt that potential readers were misled and put off by these covers.

In the end, though, this collection of street reporters was strong and determined enough to overcome the drawbacks. As in many other organizations, the foot-soldiers were ahead of the generals and carried the institution.

All in the Family

Once, Times Mirror had been a newspaper empire that was run hands-on by the Chandlers, a striving family who helped to build the city of Los Angeles in the late 19th century through hard work, scheming, and reactionary politics. Labor-bashing and red-baiting were early hallmarks of the Chandler's flagship paper, the *Los Angeles Times*. (To this day, the paper's work force remains non-union).

In the third generation, a Chandler with modern, often liberal views emerged and took command not only of this paper but of all of Times Mirror. This was Otis Chandler: Stanford grad, racer of fast cars, surfer, and Olympic-level shot-putter. Otis developed a reputation as a risk-taker for acquiring new enterprises. In the sixties and seventies, he transformed the *Los Angeles Times* from a pinch-minded, mediocre newspaper into a highly regarded one with national impact.

The conservative faction of the family, numerous and influential, never liked Otis. They resented his power and fought him behind closed doors. Having tired of the struggles, Otis stepped away

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from power in the eighties and turned the company over to the men he had placed under him, chiefly CEO Robert Erburu.

At this, the right-wing Chandlers stirred and sought openings to reestablish their primacy. They no longer thought of their newspapers as valuable community institutions but as economic vehicles for returns and dividends. In contrast with the Sulzbergers of *The New York Times* and the Grahams of *The Washington Post*, who personally run their newspapers and have thus far remained committed to superior journalism, the Chandlers had disengaged themselves from the family business, having no taste for it. They would leave it to the professional businessmen.

But when the executives Otis had left in place made some sour financial moves, compounded by a serious recession, the family quietly encircled these men and for the first time looked outside the company for a new chief executive officer. The choice of Willes, the vice-chairman of General Mills, was a signal as clear as a trumpet call. An outsider would arrive with no luggage from the company's past, no old friends or special projects to protect, no compunctions. The expansionist and journalistic dreams of Otis Chandler and his men were to be reined in, even crushed. *New York Newsday* had been the last big dream. It didn't fall—it was pushed.

In the Baltimore interview, when Willes set forth his gospel that each unit of the corporation had to produce the same high profit percentage, he said that those, like myself, who argued otherwise were advocating subsidies for weak companies. "I don't personally believe *New York Newsday* ever would have made any money...," he said. "[But] let's suppose that we *could* be marginally profitable. You're saying: Isn't it important enough to have this wonderful thing taking place in New York that the rest of the company [should] subsidize *New York Newsday*. And subsidize is exactly the right word."

His insistence on the word "subsidize" was hugely revealing. He was saying that any Times Mirror newspaper earning less than a 16 or 17 percent profit was *losing* money. But *New York Newsday*, judging by the numbers, had been just fiscal moments away from earning a decent profit. Not a profit of 16 or 17 percent perhaps, but a healthy one. If every U.S. company were to adopt Willes's extreme triage theories of who should live and who should die, then the "downsizing" of the American work force would be an even more virulent epidemic than it already is.

Willes saw killing *New York Newsday* as gutsy, "a very quick and clean decision." But some in the business world saw it instead as shortsighted. They wondered, for example, if he had considered how pivotal *New York Newsday* was to the long-term future of its mother paper, *Newsday*. By challenging the other city papers on their own turf, *New York Newsday* forestalled any push by them onto Long Island to try to wrest readers from *Newsday* itself. *The New York Times* and the *Daily News* are expected to attempt that foray now. *New York Newsday* had also generated new revenue for the paper that birthed it. Advertisers were attracted by the chance to appear in both papers at little extra cost.

The synergy between *Newsday* and *New York Newsday* was never more obvious than in the days following the latter's death. Willes had decreed that roughly 800 employees had to be terminated. Since many of those staffers were shared by both papers, it meant that, quite apart from the death of its offspring, the mother paper was also being decimated. In one editor's words, "It was like being in the middle of a train wreck."

"The decision to kill *New York Newsday* was precipitous and wrong," said Porter Bibb, an investment banker at Ladenburg Thalmann. "They should have explored other options. But Willes is a balance-sheet guy; he has no evident vision or strategy for growth. It looks to me like he's positioning the various pieces of the company for sale in a couple of years or so." Why not seek a buyer for the paper to recoup some of the losses, Bibb and others asked? Their point was that the company had spent $100 million or more over 10 years to nurture a new enterprise to within inches of bearing fruit, and then, with profit in sight, weirdly shut it down. Worse, the shut-down costs were another estimated $80 million—mostly for the severance packages of the 800 terminated employees. Times Mirror had spent at least $180 million on *New York Newsday*—and had nothing to show for it. "How do you explain that as a sound business decision?" said a broker who asked not to be identified. "Now you know why I've become so cynical about this business."

When Willes was asked in the Baltimore interview why *New York Newsday* had been singled out

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for extinction when all the other Times Mirror papers had been ordered simply to downsize, he snapped: "That's a New Yorker's view of the world! You're saying there's something so special about this experiment in New York that we need to subsidize it.... You feel like *New York Newsday* has a divine right [to exist]." Actually, Willes's new regimen for Times Mirror wasn't all about New York, only the most vivid part. The rest of the company's papers are also reeling from new budget cuts and staff rollbacks of 15 percent and more—although in fairness, it should be acknowledged that a measure of fat did exist to be cut, notably at the *Los Angeles Times*. Willes went beyond that measure. In all, more than 2,000 Times Mirror newspaper jobs were lopped off by the end of 1995. *New York Newsday*'s 800-plus was by far the biggest hit. Not surprisingly, the tensions between New York and Los Angeles had begun in the late 1980's after the stock market crash and the onset of the recession. Though slow to reach the West Coast, the downturn eventually hit Los Angeles hard. The flagship Times began losing advertising at an alarming rate. Worse, the sag in profits was happening throughout the company. A whipping boy was needed. *New York Newsday* became a larger and larger target.

The New York Times has long been a place where a decent profit was enough—and doing good journalism was a high priority. Now that, too, may be changing.

Tabloid Wars

New York Newsday had not always been so besieged. There were moments, in fact, when it looked as if the paper would shoot to profitability in one vaulting leap. More than once, its two tabloid rivals, the *News* and the *Post,* both ailing for years, seemed close to death. In the end, both papers survived. Rupert Murdoch, who had owned the *Post* earlier and sold it to an ineffectual real estate developer, suddenly re-acquired it, apparently deciding to underwrite the paper's losses so as to have his own political megaphone in the nation's information center. The *News* was bailed out by Mortimer Zuckerman, a wealthy developer and magazine publisher who also wanted a New York City forum. A bitter circulation war was soon raging.

As the battle heated up in 1993, *New York Newsday* ran into labor disputes in the pressroom; the ensuing work slowdown dropped the circulation from 275,000 to 216,000. The *News* and the *Post* delighted in writing stories about every *New York Newsday* stumble or setback. And each time they did, the Wall Street analysts would begin growling again about the drain on the already beleaguered Times Mirror company. And then even more stories would appear—about the analysts' views and their estimates of the paper's annual losses.

By August 1994, Robert Johnson, Laventhol's successor as *Newsday* publisher, was feeling heavy pressure from Times Mirror. At a budget meeting in Los Angeles that month, his presentation was treated curtly. "The publisher got slapped in the face," said a Los Angeles source. During this visit, according to one account, Johnson asked CEO Robert Erburu for a long-term commitment to stand by *New York Newsday*. What Johnson dearly wanted was a firm public statement from Times Mirror declaring that *New York Newsday* was here to stay. This, he believed, would end the doomsday speculation on Wall Street, which can become a self-fulfilling prophecy.

Erburu, however, was nearing retirement and was no longer in a position to give that support. An imposing man who bears an uncanny resemblance to Mikhail Gorbachev, Erburu had once been the unquestioned commander-in-chief of Times Mirror. But recent miscalculations and fumbles on major deals had cost the company several hundred million dollars. Members of the Chandler family were livid. They held Erburu and his top men responsible and, according to sources, complained bitterly about the size of their dividends. (Though there had been no increase since 1990, the family was nonetheless collecting about $42 million a year in dividend checks.)

Johnson's fortunes went downhill fast. His relations with Times Mirror executives became almost openly fractious. Within three months, he had been fired. The press release on November 1, 1994 said that Johnson had "resigned" because of "differences in business philosophy."

The man chosen to replace him as publisher was

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Raymond Jansen, a Long Islander who had been working for *Newsday* and then Times Mirror since his college graduation in 1960. An operations man by training, Jansen was CEO and publisher of *The Hartford Courant* when Times Mirror shifted him to *Newsday.*

There is speculation that the Times Mirror people believed that Jansen, coming as he did from the business side, would step in, look at *New York Newsday*'s numbers and the tight city market, and quickly conclude that the paper could not be sustained—thus coming to share Los Angeles's position.

Whatever the expectations at Times Mirror, Jansen took a firm grip immediately, ordering a crash line-by-line examination of the budget to see how the costs broke down between *Newsday* and *New York Newsday*. Strangely, Johnson had never done this kind of evaluation. What Jansen found was striking. The costs had been misapportioned; *New York Newsday*'s losses were under $5 million a year, maybe only $3 million—and were dropping. Jansen also focused sternly on the circulation decline and got readership climbing again.

Then, in May, came the announcement that Willes had been picked to replace Erburu at the top of Times Mirror. In the ninth-floor newsroom at 2 Park Avenue, the anxiety meter began vibrating again. Little was known about Willes. Reporters interviewed each other: What did it mean for *New York Newsday*?

Eight months into Jansen's tenure, Times Mirror scheduled a meeting for Friday, July 14, 1995 in New York. Jansen was to formally present to Willes his case for *New York Newsday*, along with his cost-cutting plans for making it a financial success. New York executives were nervous but remained optimistic. They believed, because of Jansen's early results and his clarifying of the profit and loss numbers, that at worst they'd face serious belt-tightening and payroll cuts.

Willes was in town a day early for the Friday meeting. On Thursday afternoon he dropped into the New York newsroom and chatted amiably with staffers as he walked around the block-sized room. One reporter, Dena Bunis, stepped forward to pin a union button on Willes's lapel. He accepted it, smiling. It said: "*New York Newsday*: Too Smart To Die." The staff took the visit as a good sign. No man would come in here and schmooze with us and say nothing, they thought, if he were going to kill the paper the next day.

Willes insisted in the Baltimore interview that when he toured the newsroom that Thursday he had not yet made a final decision. He was being less than candid. Sources confirmed that before he left Los Angeles for New York, Willes had told the Chandler family and at least one board member of his plans. The *New York Newsday* staff saw his silence during his visit as a gratuitous stab. When I told him that, Willes volunteered to come back and talk to the staff. "You get me an invitation, I'll come," he said. "I'd be delighted to show up." He received the invitation. He told me personally he was coming. He never came.

As the ill-fated Friday meeting convened in Times Mirror's Manhattan office—about 20 blocks north of the newsroom—two senior Times Mirror executives, Richard Schlosberg III and Donald Wright, who some time earlier had read the writing on the wall and shifted their positions on *New York Newsday*, now made it official. They said that closing down *New York Newsday* was the right thing to do, the necessary thing. That's probably when the *Newsday* side realized the ax had fallen. Tony Marro, the paper's editor, argued eloquently for the New York paper's survival, explaining why *Newsday*'s future as a quality paper on Long Island depended on it. Jansen, team leader, also spoke with passion. He told the Times Mirror group that under his strategy, the *New York Newsday* loss for 1995 would be down to less than $1 million, with break-even and profit foreseen in the coming year.

Oddly, Willes didn't dispute the figures. He merely said it was "not enough soon enough." In his opinion, he said, "irrational forces" were at play in the New York marketplace that would make it impossible for *New York Newsday* to succeed—a reference to the deep-pocketed owners of the *Post* and the *News.*

The Chandler family presence hovered over the conference table. As the holders of 54 percent of the controlling stock, they firmly controlled the board of directors. And they, through their board, had picked a CEO who would carry out their wishes.

None of the principal Chandlers would speak to me, on or off the record. This newspaper family, supposed avatars of freedom of expression, chose silence. Schlosberg and Wright, the two executives who had turned against *New York Newsday*, also refused to be interviewed.

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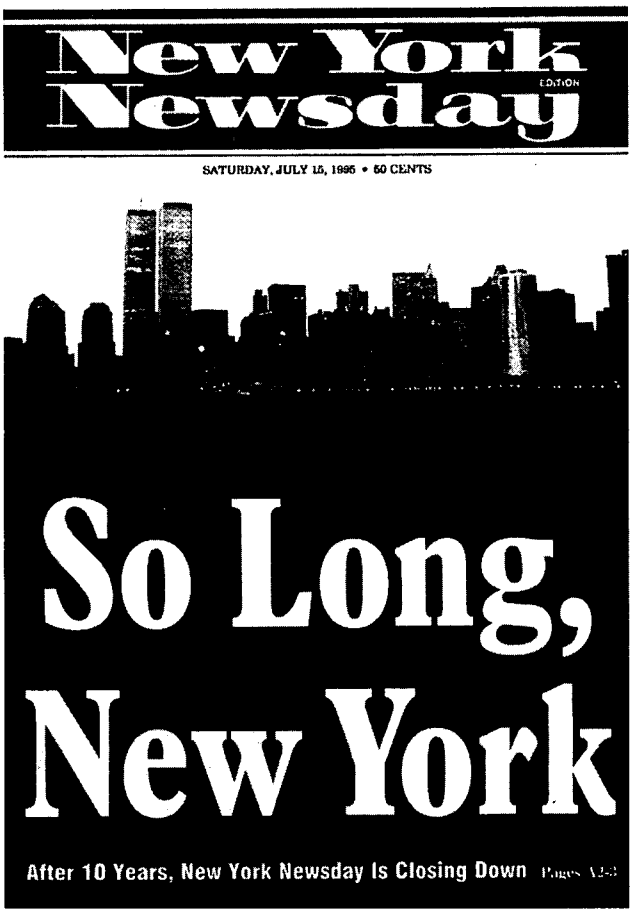
Schlosberg, the publisher of the *Los Angeles Times* and also Times Mirror's executive vice-president in charge of all the company's newspaper operations, was rewarded at the end of the year with a seat on the board of directors. The business lesson here, it would appear, is this: If you can save money by firing lots of people, even if it damages the quality of the company's product, you will be rewarded.


New York Newsday
EDITION
SATURDAY, JULY 15, 1995 • 50 CENTS
So Long, New York
After 10 Years, New York Newsday Is Closing Down

The Final Days

Once the death sentence was pronounced on that Friday, the day became one long theatre of roiling emotions. It had started during the meeting itself. David Laventhol, architect of *New York Newsday*, could not conceal his grief. Twice, tears welled and his throat closed, and he rose and left the room to compose himself.

When the meeting ended, the *Newsday* group headed for the newsroom on lower Park Avenue to deliver the terrible news. Jansen, normally steady and unflappable, was seething. "Why did they bring me here to straighten out the place if they were going to come in and do this?" his colleagues remember him saying.

Jansen was a businessman, not a journalist-romantic who might see the ledger books through misty eyes. He had taken a hard and careful look and seen, on business grounds, that this quality product was something to be strengthened, not abandoned.

The last paper, Jansen told the staff, would be on Sunday. Jim Dwyer raised his hand and asked for 10 minutes to make the case for keeping the paper alive. "It's over, Jim," said Jansen somberly.

The staff reacted the way people usually react when they get pole-axed. Some wept, some got angry, some were traumatized. One shell-shocked reporter asked what she should do about an interview scheduled for Tuesday. A few began drinking vodka and rum straight from the bottles.

There were other scenes in the days that followed that should not be forgotten.

One involved John Arne Markussen, an adopted member of the *New York Newsday* staff. As the U.S. correspondent for *Dagbladet*, an Oslo tabloid, he worked out of leased space in the newsroom. On July 15, returning from a vacation back home in Norway, he passed a newsstand at Newark Airport and *New York Newsday*'s headline about its own death jumped out at him.

"My first thought about what Times Mirror had done," Markussen said a few days later, "was of this saying we have in Norway, where as you know it's very cold: 'Å pisse i buksa for å holde seg varm.'—'Pissing in your pants for the sake of keeping warm.'

"Of course, when you do this in your pants," said Markussen, who filed a full-page story on *New York Newsday*'s demise for *Dagbladet*, "you're only warm for a few minutes. Then your pants freeze."

And then there was the Stanley Asimov letter.

Asimov was a highly intelligent, lovely man who had begun at *Newsday* fresh out of journalism school in 1952. For the next four decades, until his retirement in 1992 after contracting a rare blood disease, he was a central figure on the paper, as journalist and then senior executive, directly involved in every major innovation.

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When *New York Newsday* was struck down, Asimov sent an aggrieved letter to Willes. "In my 40 years at *Newsday*," he wrote, "I did not agree with every decision made by *Newsday* and Times Mirror. But on each occasion when I disagreed, I could understand the logic and judgment of the decision. Consequently, I never saw a decision that I couldn't accept. This is the first decision in my experience that was so wrong."

Willes's reply was a form letter. On August 16, one month to the day after *New York Newsday*'s final issue, Asimov died.

"Be just, honest and moral," Mark Willes says in his entry in *Who's Who in America*. "Do things not only because they are required, but because they are right. Have mercy—care enough about others to be fair and kind."

I asked him in that Baltimore hotel if he had followed those precepts in closing down *New York Newsday*. "Absolutely," he said affably.

Maybe Willes does represent the brave new order of newspaper managers. If so, it means that newspapers as quality vehicles for delivering information are on their way to becoming museum pieces.

Let us have no illusions, though. The shiny devices that will replace them may disappoint. Will blow-dried television news or cyberspace provide the same kind of rich, detailed, cheaply accessible reports that we now get from the best papers? Online computer networks may serve the elites, but the poor teen-age kid in the Bay Ridge section of Brooklyn or Sunnyside in Queens is not going to find his high-school sports scores there or articles about his neighborhood. Such stories affirm his existence and, by appearing in a journal that touches on a universe of subjects, connect him to the larger world.

This is not about pie-in-the-sky idealism versus corporate pragmatism. It has been plainly demonstrated that good newspapers can earn a reasonable profit. They are being marked for extinction solely because they cannot produce the sums brought in by "hot" magazines or Hollywood movies.

On the day *New York Newsday* was killed, reporters from other papers and from radio and television poured into the newsroom to cover the story. One of them stuck a microphone under Pete Hamill's chin. The columnist just shook his head. "Just once," he said wearily, "I'd love to cover the death of a TV station." □

Who's Who

It's pretty common knowledge that **Pat Buchanan** i liked by his former colleagues in the press. What isn' nearly as well known is that they don't like **Lama Alexander**, who they say is "phony," "artificial," an "testy."...

Our nominee for **Anonymous** is **David Dreyer**, wh worked at a high enough level in the Clinton campaig to have heard all the gossip, is known to be a good wri er, and is a friend of **Mandy Grunwald**, one of the fe people the book depicts with unqualified admiration. H also worked for **Dick Gephardt**, the congressman tha **George Stephanopoulos**, the figure on whom the narra tor is modeled, also worked for. Dreyer is now an off cial at the Treasury Department....

In an interview with the *Sunday Telegraph* of Lor don during the 1992 campaign, **Pat Buchanan** com plained of walking through Washington D.C. and seein "these guys...sitting on the corner playing bong drums." He added, as if to explain his distress, "I mea this is the town I grew up in." This is among the sign of Buchanan's discomfort with diversity chronicled b *The New York Times*'s **James Bennet**, who was the fir reporter to recognize Buchanan's appeal in this cam paign. Here's another, shouted by Buchanan at an Iow rally last month: "I'll build that security fence and we' close it! And we'll say, 'Listen, Jose, you're not comin in this time!'"...

One of the burdens of life in the foreign service i arranging all the details of the overseas junkets taken b big shots from back home. The trips least looked fo ward to are CODELS, cable-ese for congressional dele gations, because these visitors have the power to cut ap propriations if displeased with the arrangement Foreign service officers can take revenge, however, b leaking embarrassing details of the trip. Thus someon made sure that *The Washington Post*'s **Al Kamen** foun out about all the squash games that the FSO's had t schedule for Senator **Arlen Specter** on his recent trip t Africa and Israel, plus his attempts to schedule visits t places such as Victoria Falls and the Mabula Gam Lodge that had not generally been viewed as objects c prime concern by the Select Committee on Intelligenc which Specter was travelling on behalf of....

A recent article in *The New Yorker* about **Elizabet Dole** notes that her most trusted aide is **Mari Masen Will**, who, the story did not say and many readers prob ably did not know, is a.k.a. Mrs. **George Will**....

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Mandy's Anonymous Friend... Will's Wife... The Susan-Hillary Split...

Susan Thomases—she's the horrid Lucille in *Pri-ary Colors*—and **Hillary Clinton** are no longer pals, :cording to **Liz Trotta** of *The Washington Times,* who ports that Thomases, when recently asked by a friend out her relationship with the First Lady, replied: "I ave my lawyers and Hillary has hers."

Trotta notes that Thomases, who had once been an dent supporter of **Bill Bradley** and then "publicly dis-aged" him, quotes a former Bradley campaign affer as saying:

"She turned her back on **Bill Bradley** d there's no reason in the world why she ouldn't turn her back on **Bill Clinton**." ait until **Kenneth Starr** hears about is....

Dick Morris's star seems to be in mporary eclipse at the White ouse, but the move back to the cen-r that he started there is continuing. ne sign is the revival of **Bruce eed**'s career, which had been lan-ishing since the passage of the ime bill, in which he was a key ayer. Reed is said to have had "ma-r input" into Clinton's State-of-the-nion message and has been promot-l to a newly created job of assistant the president for policy develop-ent....

Among the **Richard Nixon** White ouse papers made public by the Na-onal Archives in December was this lay 22, 1973 memo from congression-liaison **William E. Timmons**:

"**Dole** wants to see you alone for a w minutes. He considers himself a loy-, old friend and wants to offer his person-encouragement. **Bob** believes Watergate not nearly as big an issue outside Wash-gton."...

Nancy Johnson, the chairwoman of the House thics Committee, was extremely kind to **Newt Gin-rich** when she so narrowly defined the limits of the itside counsel's inquiry into the Speaker's possible ansgressions. One reason for her tenderness may have en that she, like the Speaker, is a Republican. Anoth- may have been that she has her own involvement in opac, the political action committee Gingrich headed until last year, that was a featured player in the juicier scandals Johnson put off limits. The Connecticut congresswoman was, in the words of *The New York Times*, "a key contact for the group in her state."...

Disputes between **Bill** and **Hillary Clinton**'s private lawyers and the White House staff are multiplying. Recently, there was the public argument between Bill's lawyer for the **Paula Jones** case, **Robert Bennett,** and **Mike McCurry** over what McCurry regarded as Bennett's excessively harsh characterization of fired travel office employee **Billy Dale**. But a deeper and longer lasting disagreement has existed between the White House staff and the William & Connelly lawyers, headed by **David Kendall**, who have been handling the First Couple's Whitewater defense. The White House staff has generally favored being forthcoming with investigators. Williams & Connelly, on the other hand, are said to favor a don't-give-'em-anything-you-don't-have-to approach. "They view everything like it's a death penalty criminal case," one White House staffer told columnists **Jack Anderson** and **Michael Binstein**. "Sometimes you make war and sometimes you make love. These guys only know how to make war."...

Jason DeParle's long profile of **Newt Gingrich** in *The New York Times Magazine* offers this evidence that the speaker on occasion at least does have a sense of humor: Lampooning liberalism in a recent speech, Gingrich said the Founding Fathers promised the pursuit of happiness, not "happiness quotients, happiness set-asides, the Federal Department of Happiness."...

It may be too early to give our "Most Mixed Metaphors Award" for 1996, but we've already spotted an early contender—*The New York Post*'s **Deborah Orin**, who began her "Inside Washington" column of January 11 with "Suddenly the **Hillary** mess has hit critical mass and exploded into a self-propelled feeding frenzy."...

—Susan Threadgill

Roman Genn

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What If We Held an Election and Nobody Came?

Voter turnout is plummeting. How vote-by-mail reverses the trend

BY PHIL KEISLING

Whether the "Republican Revolution" made you cheer or want to move to Canada, it's hard to take solace in the final scorecard for November 1994: 20 percent support for Republican congressional candidates, 18 percent for Democrats, and 62 percent for none of the above.

Just 56 percent of registered voters in America actually cast ballots in that election. Considering those who weren't even registered, just 38 percent of America's adults voted. Nearly 80 percent of twentysomethings just said "no" to voting.

Politicians and highly partisan voters may not really mind chronic low turnout. But declining participation is perilous for the country. It means public officials are accountable to only a relative handful of voters, and special interests have an easier time manipulating money and voting blocs to drive the political process.

Some of the reasons for low turnout—negative advertising, vacuous political rhetoric, excessive partisanship, and a loss of faith in government—are profound, so the solutions are elusive. But one step in the right direction involves nothing more complicated than a 32-cent postage stamp.

In Oregon, we're not holding our breath for another century, waiting for Congress to adopt European-style voting on weekends or holidays. For 15 years, Oregon's 1.8 million registered voters have voted by mail in special elections on everything from road levies to amendments to the state Constitution. Our success has been dramatic.

On January 30, Oregon conducted the first vote-by-mail election for a U.S. Senate seat, electing Rep. Ron Wyden to succeed Bob Packwood in a razor-close election. Almost 66 percent of registered voters cast ballots, a new record for special elections in Oregon. The last time a special election occurred to fill a U.S. Senate vacancy—the June 1993 Texas election in which Kay Bailey Hutchison succeeded Lloyd Bentsen—turnout of registered voters was less than 21 percent.

The logistics of vote-by-mail are straightforward. Voters receive their ballots in the mail about two-and-a-half weeks before Election Day. They can fill them out on their own time, even at 10 p.m. after the kids are in bed. Ballots can be mailed or dropped off (for free) at any of 160 sites. Fraud is minimized by checking the signature on

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the ballot envelope against the original on the voter registration card. In 15 years of elections involving tens of millions of ballots, there's been just one documented case of vote-by-mail fraud here.

Given the reality of minority government in today's America—a situation bemoaned by prestigious foundations, editorial writers, and elected officials alike—you'd think this simple but compelling reform would be sweeping America. Not so. To date, vote-by-mail has only a tenuous foothold in about a dozen states. No state explicitly allows it in regular primary or general elections. And the opposition is fierce.

The debate over vote-by-mail reveals some deeper truths about what's wrong with our democratic process. For one thing, vote-by-mail has illuminated the yawning gap between the priorities of some members of the intellectual and political elite who shape public discourse, and those who have to punch a time clock or work two jobs to support their families.

Here's American Enterprise Institute scholar Norman Ornstein inveighing against vote-by-mail in a *USA Today* column: "Standing in line, getting a ballot, going in the private booth, filling it out and then putting it in a box—all express the highest value of democracy."

Standing in line may be the "highest value" of democracy for a resident scholar at a prestigious Washington, D.C. think tank. But for many Americans, standing in line also means finding a parking space, arranging and paying for a baby-sitter, getting off work early, or braving bad weather. What ought to matter is not whether you stand in line to vote, but whether you vote at all.

The visceral opposition to vote-by-mail by others is even more revealing. Oregon's record-breaking vote-by-mail turnout uncorked this tirade from *Boston Globe* columnist Jeff Jacoby: "Somehow the delusion has taken hold that a commitment to democratic self-rule means coaxing apathetic numbskulls into voting...By now, we have so degraded the franchise that the vote of an illiterate, unemployed, unstable high school drop-out couch potato is deemed no less valuable than that of the president of Columbia [University]."

Delusion? Jacoby ought to reread the first paragraph of the Declaration of Independence. American history for the last two centuries reflects a continuing effort to make the reality of the voting franchise more closely conform with the rhetoric "all men are created equal"— which implies that no vote is worth more than another. In the process, we've struck down requirements that citizens must own property, be men, speak English, pass literacy tests, or pay poll taxes in order to vote. Polling stations clearly aren't on par with the barriers mentioned above. But the mechanics of how we vote *are* an obstacle to a growing number of citizens.

Remember all the Republicans in high dudgeon over "motor voter" laws, which allow citizens to register to vote when they get their driver's licenses? How ironic, then, that so far Democrats have been more hostile to vote-by-mail. Donald Fowler, chairman of the Democratic National Committee, and other national Democrats urged Oregon Gov. John Kitzhaber to veto an Oregon bill passed by the legislature last year that would have made all our elections vote-by-mail. A fellow Democrat and former congressman called me personally to proclaim that vote-by-mail would be the "death of the Democratic Party in Oregon." Even political operatives in the Clinton White House weighed in. Imagine their surprise when a Democrat won an Oregon Senate seat for the first time in 33 years through a vote-by-mail election.

Perhaps the most resonant argument against vote-by-mail is that it will further fray the bonds of community. Indeed, this worry helped sway me to vote against a vote-by-mail bill when I was a legislator in 1989. I enjoy taking my two small children to the polling place, and I felt pangs at the thought of its passing. But now this argument strikes me as misplaced nostalgia, confusing a particular ritual of democracy with its essence —participation.

Yes, our sense of shared community is in trouble. Yes, we need to dedicate ourselves to reinvigorating civic institutions. But the illusion that biennial visits to the polling place will make any substantial difference seriously *under*estimates the peril our shared sense of community is in. In the short term, we need to bring more people back into the processes of democracy. Then we should turn our attention to the larger issues driving so many Americans to cast their vote for "none of the above." □

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Go Team!

Coach Carville gives liberals a rousing pep-talk

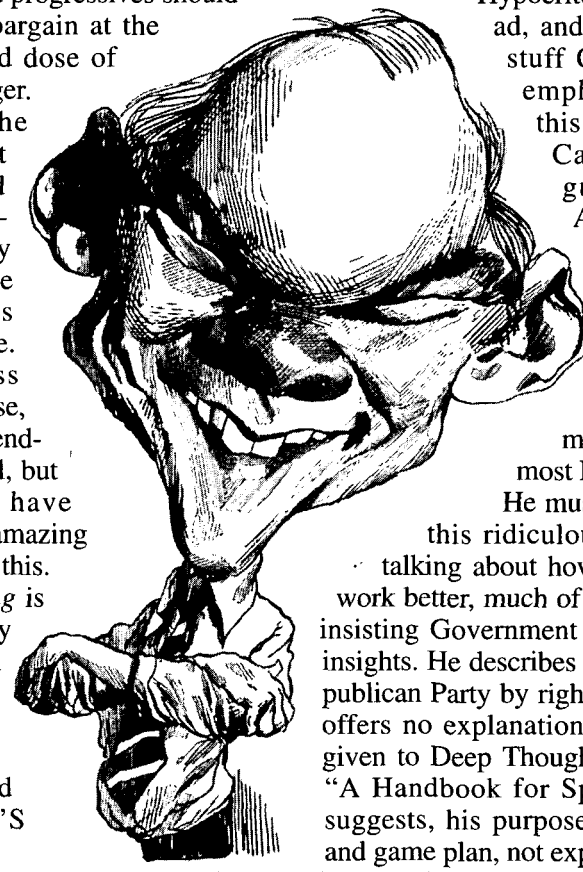
BY MOLLY IVINS

We're Right, They're Wrong
James Carville, *Random House and Simon & Schuster, $10*

It's handy, it's dandy, and James Carville's pep talk for dispirited Democrats even has a great barbecue recipe in it. Tired progressives should snap this sucker up: It's a bargain at the price—ten bucks for a good dose of heart, pride, and righteous anger.

Coach Carville is of the school that believes the best defense is a good offense, and he blasts away with manic Cajun cheer. I follow politics by trade, but even I found some Republican outrages in this book that had slipped by me. "Geeezus, how did I miss that?" I kept saying. Of course, Gingrich & Co. are a never-ending source of wonder to us all, but the extent to which they have pooped all over the field is amazing when you see it added up like this.

We're Right, They're Wrong is a pithy compendium of every shoddy, shady, anti-common sense, anti-people measure the dimwitted twits of the GOP have produced so far. Carville's response, delivered with gleeful relish, is "LET'S FIGHT!"



Roman Genn

The organization of this pep talk is pleasantly eccentric. It's pocked with lists and charts: Carville's Top Five Ridiculous and Pathetic Republicans, Most Expensive Boondoggles, Biggest Hypocrites, Tips on Potato Salad, and an odd assortment of stuff Carville just wants to emphasize. At 183 pages this is barely a book, but Carville joins a distinguished company of American political pamphleteers. His writing is only serviceable and his political philosophy is not new, but by God the man has energy. Which is more than can be said for most Democrats these days.

He muses on how we got into this ridiculous debate—instead of talking about how to make government work better, much of the country mindlessly insisting Government Is Bad—but offers no insights. He describes the takeover of the Republican Party by right-wing nut-hatches, but offers no explanation for it. Carville is not given to Deep Thoughts. But as his subtitle, "A Handbook for Spirited Progressives," suggests, his purposes here are motivation and game plan, not explanation.

The only chapter in this pep talk I disagree with is Carville's chapter on race. As a fellow white Southern liberal, I sympathize with his feelings—he is frankly discouraged about race rela-

Molly Ivins is a columnist for the Fort Worth Star-Telegram.

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tions—but I think he misreads them a trifle. The separatist sentiment represented by Louis Farrakhan is nothing new—the same split has appeared among black leaders for generations —Marcus Garvey and A. Phillip Randolph, Malcolm X and Martin Luther King, Jr., Farrakhan and Jesse Jackson. And it's sure as hell understandable.

It may well be that the best thing about President Clinton is his ability to talk to this country about race. He's as good as any white person I've ever heard. But I'm not sure the problem is in the hearts of Americans: Stereotypes may still abound, but there just aren't that many Americans walking around with hearts full of hate. Racism seems to me more a matter of real, concrete barriers that prevent people from getting education, jobs, apartments, mortgage loans, any loans. And those barriers can be broken by government.

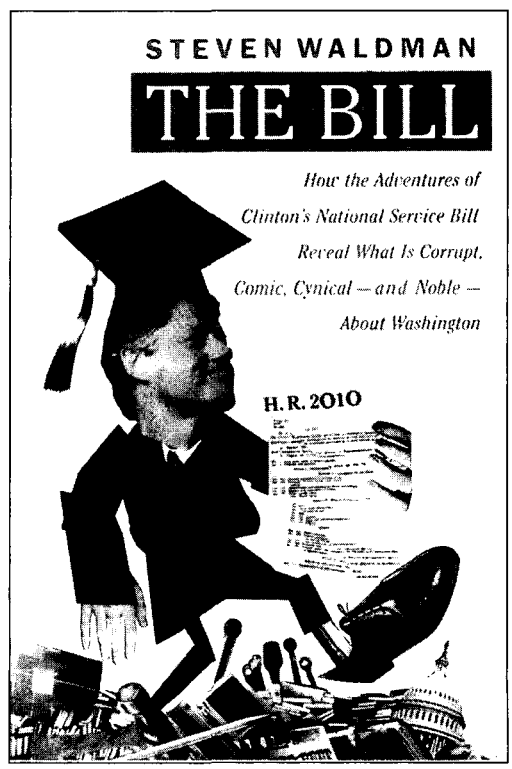
For the most part, Carville's little book is a pip, packed with stuff you'll want to underline and use in arguments with your brother-in-law. Carville claims to have nobly restrained himself from denouncing the press (much), which is a shame. Because what's really changed in this country is the echo chamber in Washington. The reason this book comes as such a shot-in-the-arm is because we haven't been hearing from progressives. I get dozens of letters every week saying, either literally or in effect, "Thank God there's someone else out there who still thinks the way I do." The sense of isolation is extraordinary and it ain't caused by "the liberal media."

So Coach Carville is just in time with his handy-dandy half-time talk. Let's hustle back out there, team, raise hell, have fun, and fight, fight, fight. □

THE 1995 POLITICAL BOOK AWARD

No book published in recent years does a better job than *The Bill* of carrying out *The Washington Monthly*'s original purpose of explaining how government really works. Waldman's chronicle of how the national service bill became law captures the drama of congressional turf wars and the conflict between the idealists and the pragmatists of the Clinton administration. And he makes a complicated story accessible —and thoroughly entertaining.

Other outstanding public affairs books published in 1995 include *The Politics of Rage* by Dan T. Carter; *A Moment on the Earth* by Gregg Easterbrook; *A Civil Action* by Jonathan Harr; *The Death of Common Sense* by Philip K. Howard; *First in His Class* by David Maraniss; and *The Haunted Land* by Tina Rosenberg.



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Making It, Part 2

Inside the Ivy League admissions game

BY NICHOLAS LEMANN

Getting In: Inside the College Admissions Process
Bill Paul, *Addison-Wesley, $20*

This book sets off a psycho-physiological phenomenon called "reassurance-induced terror," which can be defined roughly as the feeling you get when the pilot of the plane you're riding in comes on the public address system to say that there's nothing to worry about. Both the author, Bill Paul, a former *Wall Street Journal* reporter, and his main character, Fred Hargadon, the dean of admissions at Princeton, are obviously kind-hearted, decent, dedicated men who want only the best for America's adolescents. But *Getting In* inexorably knots the stomach and fevers the brow. Although the college application process is 20 years in the past for me and 10 years in the future for my children, perhaps it's like military combat: Once experienced, the terror can return in full force at any time with the right stimulus, which *Getting In* definitely is. It made me so overwhelmingly anxious that I had to put it down every few pages and take a few deep breaths.

The reason is that the message the book sends out to its intended audience of college applicants and their parents can be boiled down to the following syllogism:

1) Nothing is more determinant of the life-course than being admitted (or not!) to an elite college during the senior year of high school. However:

2) No individual who is not a nationally acclaimed genius has much meaningful chance of gaining this incalculable opportunity. But:

3) Don't obsess about it—just be yourself!

Nicholas Lemann is national correspondent for The Atlantic Monthly *and a contributing editor of* The Washington Monthly.

For example, hook up the galvanic skin-response meter and then read this passage: "Here, then, is the Princeton candidate's mission impossible: Take five or six solid courses a semester during sophomore and junior years, get A's in all or nearly all of them, then back up that virtuoso classroom performance with half a dozen test scores over 700. Anything less, and the candidate will probably be graded no higher than a two, which, while very good, does not separate that candidate from the pack (About fifty-five per cent of applicants are either academic twos or threes)."

Not that being an "academic one" will get you into Princeton. You still have your "nonacademic achievement rating" to worry about:

"As for the nonacademic achievement rating, Hargadon says that to get a one, a candidate has to have done something truly exceptional, such as swimming in the Olympics, performing on the violin at Carnegie Hall, or selling a zillion Girl Scout cookies and speaking to major U.S. corporations about salesmanship. Asked for other kinds of accomplishments that would make a candidate a nonacademic one, [Hargadon] replies, 'They hold a patent. That would be a one. They've published a book. That would be a one.'"

If you sold only a million Girl Scout cookies and then spoke to minor U.S. corporations, or performed merely at the Kennedy Center, then on that day in April when acceptances and rejections are mailed out you're liable to suffer the kind of gruesome fate witnessed by Paul at an "affluent high school": "Over in one corner a girl named Sue is rocking back and forth, crying uncontrol-

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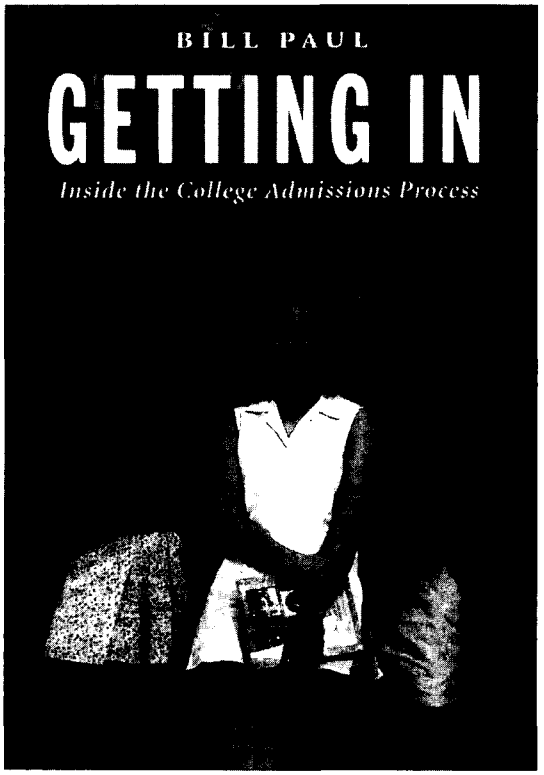
lably. Three of her classmates are patting her on the back and telling her it will be all right.... You are a great kid, they all say. Keep your chin up....

Sue's day began so differently, so full of promise. Like many of her classmates, she had told the post office to hold her family's mail so she could pick it up in person before school started. She was certain she was going to get a letter of acceptance from the Ivy League university that she had dreamed of attending since she was a little girl. Speaking out of earshot, [Mildred] Hayes [the school guidance counselor] tells me that Sue is going through something very much like a death in the family. 'She will need time to mourn,' she says without irony."



Paul's narrative device for conveying the world of Princeton admissions is to follow Hargadon and five of his applicants through one annual cycle. This heightens the aura of barely controlled panic because of the suspense over the outcome for each of the kids. (Either Paul or his publisher, in order to accentuate the mood, has decided to use SAT-style multiple-choice blocks as the section breaks in the book.) One could argue that the characters inhabit a bizarre subculture having no wider social relevance—but their drama does resonate, partly because it has become the basic rite of passage for a significant portion of the American elite.

Affirmative Action for Fencers

The great virtue of *Getting In* is that beneath its very thick veneer of anxiety lies a lot of good inside dope on how admissions works at an Ivy League college. What is clear *inter alia*, though Paul doesn't say it directly, is that his five applicants all belong to the group for which the odds of acceptance are the longest: They're "A" students from public high schools on the East and West Coasts who don't fit into any of the categories that get you special treatment. The best-known of these is affirmative action, which, we learn here, has (in Princeton admissions at least) more white beneficiaries than black or Latino. Paul tells us that, as a spur to fundraising, Princeton accepts 43 percent of applicants who are alumni children (as against 15 percent for the pool as a whole). And because Princeton has 31 varsity sports teams, far more than any Big Ten powerhouse, fully a quarter of every entering class is made up of athletes, 80 percent of whom wouldn't have been admitted on their academic merits; clearly the easiest way to beat the system is to become very good at an arcane Ivy League sport such as fencing or crew. (Only 6 percent of each class is black, and I'd guess that if you eliminated black athletes and got the percentage admitted due to pure racial advantage, it would be even smaller.)

Also, Paul is admirably forthright about the advantage coming from a rich family confers: It buys you into the kind of private school, or public-school district, where you can take advanced-placement courses and get intense, in-the-know college counseling. These schools push their students to get their applications in during the fall early decision/early action cycle, when, Paul tells us, the odds of admission are much higher than in the spring cycle. (Penn takes "roughly 65 to 70 percent" of alumni children who apply early.) These counselors can occasionally move beyond simple advice into the realm of direct negotiation with the colleges. One counselor described in *Getting In* calls an admissions office to ask for advice about a particular application and is told to change the student's intended major. The application is revised and resubmitted, and the student goes from "deferred" to "admitted."

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Some of Paul's student-characters are on the edge of this advantaged territory. For example, one has parents who hire a "counselor" whose job it is "to work hard to make him more appealing" to admissions officers, especially by advising on the personal essay component of the application. (Paul doesn't say so, but some of these counselors actually write the essay, for a fee of up to $3,000.) On the whole, however, the characters are part of the large group in open competition for the half or less of the slots that aren't reserved for members of some special category.

Your life depends on getting into Princeton. But don't obsess about it —just be yourself.

This would engender more sympathy for their plight if they were more appealing people. All of them are completely fixated on getting into Princeton, far past the point of wholesomeness, but none can give a good reason why. Here's one girl's rationale: "Look, for years now everyone has been telling me how smart I am.... I've always been in the highest reading group. I was valedictorian of my class in junior high school. I've got the highest grade-point average in my class going into senior year. The same people who have been telling me I'm smart tell me I should go either to Harvard, Princeton, or Yale because those are the best schools around. And so that's what I want."

The moment in the book when I most wanted to strangle these kids was when Paul describes them being romanced by colleges other than Princeton. Two are offered scholarships at their state universities. Another one gets a letter from a private college offering her a full four-year scholarship. A fourth is invited on an all-expense-paid visit to "a Midwestern college." Do they find this gratifying? Of course not—it's not Princeton: "[N]one of the kids had any interest in attending the colleges that were so eager to accept them. Nora simply crumpled up her letter and tossed it into a wastebasket. Mark, seeming to represent the group, explained that he had passed up the free plane ride because the Midwestern school just didn't have the 'shiny prestige' he wanted. 'Perhaps,' he said, 'I could be just as well off and just as happy at a college without a big name. But I've bought into the idea that a big name school will give me security.'"

In a way the unkindest cut for these kids is that Princeton and schools like it, after setting the bar at the level of lifelong commitment to weeniedom, also expect applicants to be the kind of "genuine," Thoreau-like people who have higher values than merely wanting constantly to get ahead in the success-distribution system. Like the surprisingly heavy commitment to student athletics, this is a cultural carryover from the schools' early-20th-century past as institutions primarily devoted to turning out "gentlemen" whose most important quality was not academic performance but "character."

There was something to the old code, so it's understandable, but also maddening, that what Hargadon and Princeton want applicants to do most is "be themselves; follow their own muse; get out on their own and develop maturity, perspective, a slightly different way of seeing the world," since this likely will result in failure to be an academic and nonacademic "one." The Princeton application asks its pool of overachievers to describe their biggest mistake; this sets off a comic quest for "the 'right' big mistake to have made." To some extent the admissions office's quest for the unusual student has the hollow quality of cocktail-party bragging, as when one alumni interviewer says, "A saber-fencing potter who summers in Spain? This is why I do interviews!" Hargadon once wrote in the introduction to a book, "In my most plaintive moments as an admissions dean, I could be heard stalking the office corridors shouting, 'Where the hell are the Huckleberry Finns?'" The question is admirable, but it answers itself: Going through the elite college application process is essentially a gigantic version of being

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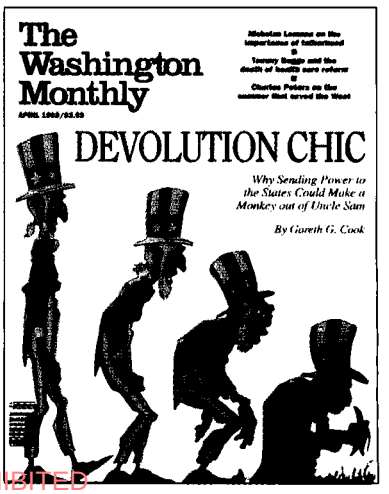

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civilized by Aunt Sally, and no latter-day Huck would go anywhere near it.

Getting In is a book that captures the details of college admissions at the expense of the larger truth, which almost everybody professionally involved in the admissions process seems blind to: In comparison to other countries, what's remarkable about the United States is how *easy* it is to get into a good college and how little where you went to college matters in the long run. In Taiwan or South Korea, only a minority of applicants will get to go to any college at all; in England, if you don't go to Oxford or Cambridge, you have no chance at a wide range of important positions in the society. Here in America, 95 percent of colleges accept most of their applicants. Those who get into one of the handful of highly selective schools ought to go, for the education and the lifelong networking and credential advantage, but being admitted doesn't set them up for life, and being rejected doesn't permanently close any doors. People who didn't go to Ivy League colleges currently occupy such positions as president and secretary of state, and (to name a few of the most prestigious billets in business) CEO of Citicorp, Disney, Goldman Sachs, and General Electric. American life still turns much more on what you actually accomplish over the long haul than on gaining a magic ticket at the age of 17; admissions-mania only encourages the notion, which is both harmful and untrue, that getting and staying on track matters more than doing.

Dozens, even hundreds, of novels of the Victorian and Edwardian ages set among the prosperous and respectable classes have plots that turn on the conflict between some rigid, nonsensical social convention of the group and the purer, better impulse of the main character. In upper-middle-class America today, obsession with college admission is becoming the functional equivalent of obsession with propitious marriage in the work of Henry James or Edith Wharton: It is the central principle around which the transition to adulthood is organized, but it is fundamentally irrational. That the irrationality of it is not obvious —because it appears to be motivated by pure parent-child love—only demonstrates how deeply the convention has us in its grip. It makes sense in the same way the idea that marrying Countess Olenska would be ruinous made sense to Newland Archer. In fact, it makes less sense. Archer would have had to live in exile from everything he had ever known. Princeton's rejectees will go to Duke. □

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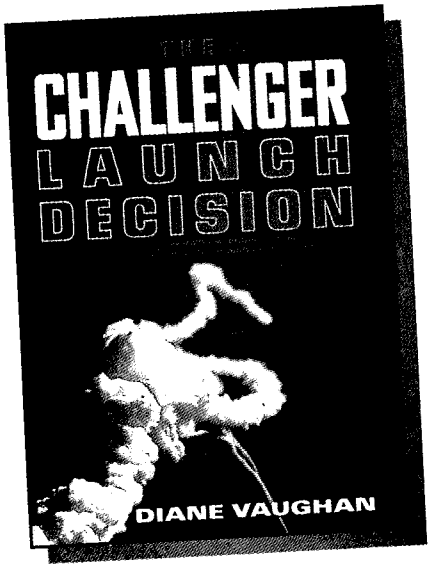

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Prelude to a Disaster

The young reporters tried to tell the truth about Vietnam—but was anybody listening?

BY CHARLES W. BAILEY

Once Upon a Distant War
William Prochnau, *Times Books, $27.50*

William Prochnau has written a wonderful book about the early years of the U.S. involvement in Vietnam. He tells the story by recounting the trials and triumphs of a half-dozen young reporters who fought U.S. and Vietnamese officials—and even their own editors—to get the truth to American readers.

They succeeded, at great personal and professional risk and under the most difficult conditions, in reporting the truth about the failure of the American effort to build a stable government in South Vietnam. Beyond that, they changed the way the U.S. press covers American wars. Never again would reporters assume that the military was telling the truth; never again would the military assume that the press was its ally. The bruises of those early years would still be felt three decades later in Grenada and Kuwait.

It was not a question of being anti-war. These reporters in those years did not question whether the U.S. should be in Vietnam. As one of them said, "I thought war was a glorious adventure. We all believed in the cause." They thought the war was right, that the problems were caused by flawed strategy and poor American and Vietnamese leadership.

The roll call of the correspondents is short: Malcolm Browne and Peter Arnett of the Associated Press, Neil Sheehan of the United Press International, David Halberstam of *The New York Times*, and Charles Mohr and Mert Perry of *Time* magazine. Other reporters came and went; big-foot columnists like Joseph Alsop "parachuted" in for brief, carefully-chaperoned visits that served only to confirm their entering bias. The six young reporters comprised the entire American resident press corps in 1962 and 1963, the years when the United States started down the slippery slope into its Vietnam quagmire.

They were indeed young. Sheehan, 25 in 1962, was the baby of the group; Mohr, at 34, was the oldest. They came from varied backgrounds and places: Sheehan from Massachusetts, Browne from New York, Mohr from Loup City, Nebraska. Halberstam's family had moved around the country, winding up in the New York suburbs. Arnett was a New Zealander who stood only five foot six with his boots on; Mohr, Sheehan, and Halberstam were well over six feet tall. Sheehan was a moody Irishman and recovering alcoholic. Browne was a loner who stood a little apart from the rest of this band of brothers; Halberstam was gregarious, always seeking companionship.

Tall or short, loud or quiet, all of them were excited by their new assignment. Halberstam was the only one who had covered a war; his last assignment had been the Congo. Mohr had worked in Washington, where he had covered the White House, and came to Saigon from New Delhi. The others made up for their inexperience with energy, aggressiveness, and long hours.

These young correspondents in Saigon were the first of a new breed. Prochnau explains why they were different:

"In this brief but crucial period they [established] the skeptical standards for a new genera-

Charles W. Bailey, a former Washington correspondent for the Minneapolis Tribune, *is a member of the editorial advisory board of* The Washington Monthly.

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tion of war correspondents ... provocative, new, adversarial standards that broke from the old and would be used to chronicle America's disaster in Vietnam and events long after."

But they paid a price: "In so doing, this small group of young men would bring down upon themselves the wrath of every power structure they confronted—the White House, the Pentagon, the South Vietnamese government, the old guard of the press itself, even their own bosses...."

All the key miscalculations that haunted American policy during the big war of 1965-1975 are foreshadowed here, from officials who would not or could not admit that they might be wrong, to fake accounts of enemy soldiers killed in battles that never took place. Whenever one of the Saigon reporters got past the lies to produce a story telling the truth, the top American diplomats and military men in Saigon would simply deny the story—and then order an investigation to discover who talked to the reporter.

In Washington, it was the same, only more so. President Kennedy, infuriated by Halberstam's reporting, told his top advisors: "Goddammit, I don't want you reading those stories in the *Times*. We're not going to let our policy be run by some 28-year-old kid." Finally, after more bad-news reports by Halberstam, Kennedy called in *Times* publisher Arthur Sulzberger and asked him to pull Halberstam out of Vietnam. Sulzberger, to his lasting credit, ignored the President.

Prochnau focuses on the six reporters, and he tells their story well. A former newspaperman with first-hand experience in Vietnam, Prochnau captures the special quality of the place and time. At the same time, he has produced a thoroughly researched, authoritative, and compelling account of the whole Vietnam struggle during the critical years of 1962 and 1963.

I made my only extended visit to Vietnam in the fall of 1967, when I was White House correspondent for the *Minneapolis Tribune*. Before departing for Saigon, I wrote to Ronald Ross, the *Tribune*'s smart and skeptical resident correspondent in Vietnam, and asked him, among other things, what I ought to read to prepare for the trip. His answer was deadpan—and deadly serious: "All you need to read are *Catch-22*, *The Quiet American*, and *Alice in Wonderland*."

Ross's counsel was sound, and it is validated again and again as one reads Prochnau's book. It is all there: the refusal of top U.S. officials in Saigon and Washington to see, much less admit, that things were going badly; the efforts of the Kennedy administration to play down the extent of American involvement; the surreal atmosphere of Saigon; President Ngo Dinh Diem and his power-hungry family; the Buddhist monks who burned themselves alive at high noon in the marketplace to protest against the government.

Often the attempts to control news were flat-out ludicrous. On December 11, 1961, a U.S. Navy aircraft carrier came steaming up the Saigon River. Forty U.S. Army helicopters were lashed to its deck. Ship and cargo were plainly visible to thousands of spectators. But when reporters asked the U.S. military mission about it, officials would not even confirm that the carrier was there—let alone admit the obvious fact that Americans were about to start flying combat missions in support of South Vietnamese troops. It was an inauspicious beginning for the press-military relationship in Vietnam.

Part of the problem was that this new breed of correspondent was covering a new kind of war. Unlike their older brothers who

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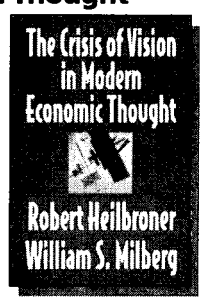

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chronicled World War II and Korea, the young reporters were not writing about a conflict in which "our" side clearly wore the white hats. There were no "front lines" in Vietnam, no territory won or lost. The enemy fought from ambush in the jungles or across rice paddies, fading away into the bush when he was done killing, leaving behind mines, booby traps, and sharpened bamboo stakes to mangle the unwary. Highways safe to travel in daylight became death traps at sunset; the night belonged to the men in black pajamas.

If the young reporters are deservedly the good guys in Prochnau's story, they are no plaster saints. They drink, they shout, they make love, they curse, they exchange insults with their editors. And they take sides: They regard U.S. Ambassador Frederick Nolting and General Paul Harkins, head of the U.S. military mission, as enemies. Their best friends are junior officers living dangerously in the countryside as advisors to Vietnamese military units. These men in the boondocks know what is going on and that their bosses in Saigon are lying about it, so they use the reporters and the reporters use them in the oldest transaction in journalism.

In the short term, the young reporters seemed to have won. Kennedy, as always hyper-sensitive to press criticism, denounced their reports—but took action that conformed to some of their goals: Diem was ousted by a military coup authorized by Kennedy; Nolting and Harkins were sent home. And Halberstam and Browne won Pulitzer Prizes for their Vietnam reportage.

But of course nagging questions remain, as they do about every aspect of our Vietnam disaster. Did all the reporters' hard work really accomplish anything? Nolting and Harkins and the Diems disappeared, but they were replaced by Ellsworth Bunker and General William Westmoreland and Nguyen Van Thieu, and U.S. policy did not change. The early failures of strategy and tactics recorded by Sheehan, Halberstam, and the others were repeated—at much greater human and material cost—for 10 long, bloody years under Lyndon Johnson and Richard Nixon.

Why did the American press ignore Vietnam for so long? *The New York Times* was the only American newspaper to assign a correspondent full-time to Saigon in those critical early years. Where were *The Washington Post*, the *Los Angeles Times*, the *Chicago Tribune*, and other great regional newspapers? Was it a matter of money—or failure to recognize an important story?

In a broader sense, why did the U.S. public pay so little attention to the deepening American involvement in Vietnam? Was it because most of the media ignored the developing situation? Or was it because the Kennedy administration succeeded in keeping the growing U.S. investment of men and money out of the public eye? Or were Americans simply preoccupied with Berlin, Cuba and the glitter of the New Frontier?

And finally, the eternal Vietnam question: How could so many supposedly bright men—John Kennedy, Robert McNamara, McGeorge Bundy, and Dean Rusk for openers—have been so wrong? Why could they not see, as the reporters did, that the war wasn't working?

Prochnau's fine book raises these questions again. It offers no definitive answers but provides plenty of clues. Indeed, this volume ought to be required reading for anyone involved in making U.S. foreign policy: It reminds us to watch our step when we march down that road paved with good intentions. □

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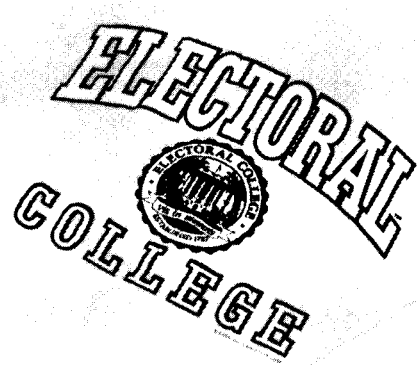

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Political Booknotes

Storming the Gates: Protest Politics and the Republican Revival
Dan Balz and Ronald Brownstein
Little, Brown, $24.95
By Jeffrey H. Birnbaum

It's a presidential election year and time once again for political hyperbole. In the journalistic race to find who's up and who's down, the highs never get higher nor the lows so deep as during the quadrennial gambol to attain the most coveted and perhaps least understood office in the land. In truth, the president doesn't govern anything. He spends far more effort reacting to matters beyond his control than acting like the potentate we imagine him to be. But the American people—and many of the news outlets that inform them—scrutinize the contest for the White House as if it is the only election that matters.

Now there is a tonic for this myopia. *Storming the Gates* reminds us of the broader context in which the election of 1996 is being held: The Republicans might be on the verge of completing a historic turnaround in partisan control of political institutions around the country. In their new book, Dan Balz of *The Washington Post* and Ronald Brownstein of the *Los Angeles Times* detail how this came to be and what forces and ideas were at the heart of this movement. An excellent recapitulation, the book demolishes the notion that the race for president should be the nation's sole focus.

Storming the Gates skillfully dissects the fragile alliances and warring factions that comprise the modern Democratic and Republican parties. The groups' leaders are as colorful as their interests are diverse. On the Republican side is Ralph Reed, the hard-bitten choir boy of the Christian Coalition; Tanya Metaska, the gray-haired, gun-toting lobbyist of the National Rifle Association; and of course, Newt the Absurd. The Democrats have Al From, the doughy but prescient founder of the "New" Democrats; Richard Gephardt, the earnest and left-leaning climber; and at the helm, Bill the Waverer. The book's analysis of each of these player's places in the Washington firmament is first rate. But the authors could have done more with their quirky personalities. *Storming the Gates* would have been more accessible, and more fun to read, if it had been written with a title more like *Sidling Up to the Gates and Peering In.*

That quibble aside, the book's most serious conclusion is a useful one: The Republicans' success in taking control of Congress may carry with it the seeds of its own downfall. The same protest vote that brought them into power on a tidal wave of anti-Washington feeling could just as easily sweep them out again, especially since they most likely will be unable to deliver much of what they promised. For the Democrats, this would be sweet revenge. After all, the Republicans won in 1994 in large measure because President Clinton failed to make good on his promises, particularly to deliver healthcare reform.

In fact, neither party should take much comfort. The pendulum will always swing. First, a political force pledges "change," even "revolution." But when that force wins, it discovers that accomplishing its aims is nearly impossible. Even the best intended public leaders must compromise. Frequently, they completely fail. Such is the constant tension between campaigning and governing. As Democratic pollster Geoff Garin told the authors, "The electorate is still controlled by voters who hate both parties, and what matters is which party do they hate more at a given moment in time."

Indeed, electoral politics these days end almost inevitably in frustration for both the would-be revolutionaries and their credulous supporters. The Republicans stormed the gates of power in 1994 but did not break them open. With problems as intractable as the wage gap, maybe no single party can.
Jeffrey H. Birnbaum is a senior correspondent covering politics for Time *magazine. His new book,* Madhouse: The Private Turmoil of Working for the President, *will be published in May by Times Books/Random House.*

Time Present, Time Past: A Memoir
Bill Bradley
Alfred A. Knopf, $26
By Matthew Cooper

There is, of course, much to admire about Bill Bradley. As has been noted often, he's plugged away at a number of dull but important issues. In the mid-eighties he fostered a bipartisan consensus that the tax code should—and, more importantly, could—be shorn of its worst excesses, despite the entreaties of encrusted lobbies. Bradley's tax reform was the best kind of political alchemy. He got pols—Ronald Reagan, Dan Rostenkowski, and Bob Dole, to name a few—to do the right thing. Tax reform withered away in the late eighties and early nineties, but that is not Bradley's fault. He's not a part of either of the left and right choruses that want to muck up the tax code with deductions for college tuition (Robert Reich) or treat capital gains differently (all Republicans). On the issue of taxes, Bradley has stayed pure.

Purity, in fact, is at the heart of Bradley's public persona. Since adolescence, he has cultivated the image of someone who is thoughtful and pure of

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heart. His athletic ability, combined with his academic skill, made him a national celebrity at a young age. John McPhee's book on the Princeton basketball star, *A Sense of Where You Are*, chronicled Bradley's dedication to his craft—the relentless hours of putting weights in his shoes to perfect his jump shots, of putting on blinders to perfect his dribbling. The book also established him in the public mind as pensive, reflective.

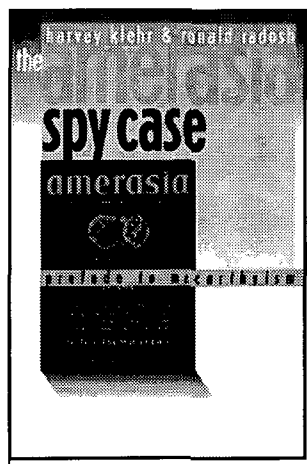
Bradley never sought to quash that persona. Rather, he fueled it. In his likable memoir *Life on the Run*, Bradley reflected on race, money, and fame as he took readers inside the world of professional sports. It was a good book, but it was not a self-deprecating book—except in the way that people use self-deprecation as a form of self-promotion. When Bradley wrote that he wasn't good at small talk or didn't like a lot of hoopla, he was, doubtless, being honest. But he was also telegraphing that he was thoughtful.

When Bradley announced his pending retirement from the U.S. Senate last year, his tone was more than self-consciously thoughtful. It had become self-righteous. He managed to quote both Bertholt Brecht and Robert Frost. In the days after his retirement, he condemned both parties, triangulating himself above the fray. Republicans, said Bradley, believe that "government is the source of all evil," while Democrats "distrust the market and prefer the bureaucrat they know to the consumer they can't control." This is hyperbole, not insight. The GOP aren't libertarians who want to abolish the EPA or the SEC. And what Democratic Stalinists is he talking about? Chris Dodd? Richard Gephardt? Others have criticized both parties for wearing ideological blinders; the Democratic Leadership Council, and this magazine, to name two. But since the tax reform of a decade ago, Bradley has not been identified with any idea that could not have been proposed by a staid liberal backbencher.

As he retired, Bradley hinted strongly that he might run for president. But then he lashed out at the press for having the audacity to ask him about it. Is there something in the Hudson? Because the New Jersey senator's talking and teasing sounds a lot like Mario Cuomo.

Time Present, Time Past has much of the preciousness we saw during Bradley's retirement tour. The title itself is weighty, drawn from a T.S. Eliot poem and meant to denote that Bradley has, with his departure from the Senate, entered a new chapter in his life. Right from the opening, many lines infuriated me. "I have always preferred moving to standing still," he explains, as if this was a confession instead of a platitude. The book skips around Bradley's life. There is Bradley, the earnest small town banker's son, in the Mississippi river town of Crystal City, Missouri, fresh from the NBA, traveling the country and hustling for money, but, like Robert Redford in *The Candidate*, feeling detached, wondering what all the incessant fundraising and handshaking is for.

The idea of "listening to America" runs like a skein through Bradley's book. He has encouraged Americans to "sit down with their neighbors and talk about what it would take for them again to believe that the political process can provide answers." Native Americans, victims of corporate downsizing, Scotch-Irish Appalachians like his ancestors are all here, with Bradley as a sounding board. The idea of getting outside the capital and listening to Americans has great appeal, of course. But for all of Bradley's listening, he hasn't come up with much to say. On the issue of race, for instance, Bradley has earned his loudest applause. He has led an integrated life and his concern is admirable; but he has little to add to the conversation. His views—supporting affirmative action, condemning black crime, chiding white racism—are perfectly respectable, but commonplace.



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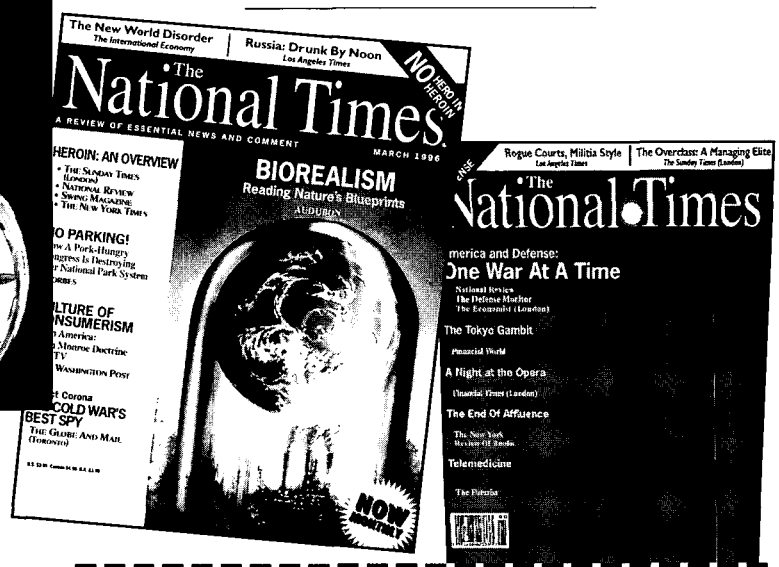

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There is also a painfully obvious quality to much of what he says on public policy. "If Democrats can help shape the coming information age so that it adds jobs, builds community and enhances democracy even as it improves economic productivity," he writes, "we can offer tremendous hope." If Democrats can make cheeseburgers dietetic, they will also be able to offer tremendous hope.

Still, this is a worthwhile book. There's some humor here. Bradley has been in the Senate for 18 years, and so his mentors were the barons of a different era. There are interesting accounts of Henry "Scoop" Jackson (how he won the battle for the B-1) and Russell Long (how he would kill his House opponents in any conference by talking until 3 or 4 A.M.). There are interesting insights into the culture of the Senate, such as how the best players are the best informed senators.

What the book—and perhaps Bradley's career—lacks is that final shot of courage. Bradley may have been out front on tax reform, but on other issues where Democrats were afraid to tread he was AWOL. Unlike, say, Bruce Babbitt in the 1988 campaign, Bradley had little to say about entitlements until it became conventional wisdom that they needed to be reined in. Bradley clearly does not think much of Clinton, yet he can't bring himself to criticize Clinton directly anywhere in these pages.

In his cerebral tone, Bradley is not unlike his fellow seventies senators Gary Hart and Paul Tsongas. All three have written books urging the Democrats to be centrists, and all three have a holier-than-thou tenor in their words and demeanor. But Tsongas and Hart were not mere rectors. They had courage. They faced the question of running for president head on. In Tsongas's case the run was particularly quixotic. Bradley, of course, is not obligated to run; but he goes through the quadrennial exercise of publicly debating whether to do so. And if that wasn't bad enough, at a time when the Democrats need his centrist voice in a riven Senate, he is choosing to leave.

There is a tendency, of course, in presidential years to look fondly on those who considered running but did not. Many Republicans this year long for Kemp or Bennett or Powell, just as Democrats spent the eighties wishing that Cuomo or Bradley had made the race. But, at the end of the day, their hesitation is not worth lamenting. We're better off with the hyperambitions of candidates like Phil Gramm and Bill Clinton, men whose hunger seems laughable but whose risk-taking is admirable. Thoughtfulness is a fine quality. Bradley's life shows why it's also overrated.

Matthew Cooper, a contributing editor of The Washington Monthly, *is a senior editor at* The New Republic, *where he writes the White House Watch column.*

Medical Malpractice and the American Jury

by Neil Vidmar

University of Michigan Press, $29.95

By Philip K. Howard

If Americans are rapidly disengaging from public policy, it may be because the debates on important issues throw off so little light. Take tort reform. Critics more or less slander everything about the judicial system. Defenders claim the system is nearly flawless. The rest of America knows there's a serious problem—what rational system would give a mugger shot trying to escape his crime $4 million?—but just goes numb.

One would hope that experts and scholars could illuminate the issues. But Neil Vidmar's *Medical Malpractice and the American Jury* illustrates how academics can perform a kind of inverse alchemy, combining lots of interesting facts and solid analysis into a product that obscures the basic problem.

Vidmar, a professor at Duke University, is actually correct in his specific finding. "Juries," he argues, "perform their functions reasonably well." This is amply demonstrated by the dozens of studies he methodically

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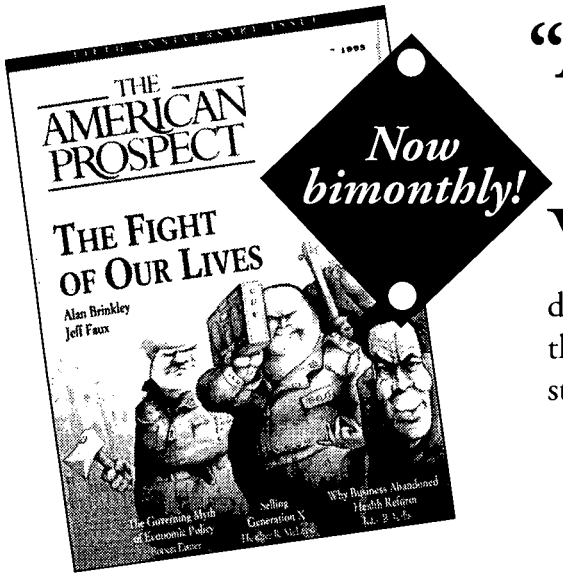

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reviews over the course of some 300 pages. If Vidmar's goal is to show that the jury system is not the main culprit in a flawed judicial system, then he has proven his point: Jurors do not generally check their common sense at the jury room door. As a practicing lawyer, I would go even further: It's amazing that, in the vague and standardless world of malpractice claims, juries seem to get things right.

But Professor Vidmar's underlying premise—he's too careful an academic to ever come right out and argue it—is that medical malpractice reform is therefore basically unnecessary. The book's subtitle—"Confronting the myths about jury incompetence, deep pockets and outrageous damages awards"—practically rings with the news that there was never any problem. "The findings discussed in this book raise very serious problems for critics of the tort system," Vidmar concludes.

In fact, Vidmar's book tends to demonstrate the opposite. The system is unreliable, not because juries are incompetent but because of the claims themselves. Malpractice claims have a random quality that turns doctors into near-paranoids. Their reaction, in turn, has imposed a staggering cost on society.

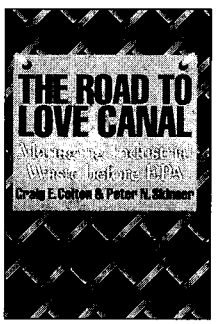
Doctors, much more than other professionals, get sued all the time. (More than 50 percent of all obstetricians have been sued at least once.) Once the suit is filed, the doctor can look forward to five years or so of torture as lawyers second-guess every detail of what happened to the sick patient. Incompetent doctors love this interminable process: They can use it as a lever to settle out of court and never be held accountable.

But why you might ask, should any competent doctor have anything to fear? Look at the nature of medical practice. Medicine involves sick people, with the constant risk of a bad result for even the most conscientious physician. If a doctor leaves scissors inside an abdomen, or cuts off the wrong foot, malpractice is clear enough. More often, matters are murkier. Vidmar cites one insurance company that found 30 percent of its medical experts gave diametrically opposed conclusions or could not decide whether there was malpractice. Vidmar uses this evidence to suggest that experts are no better than juries. But *something* bigger is wrong. What kind of judicial system tolerates a one-third margin of error? We could never accept those odds in sending someone to jail. Why do we accept it in threatening the livelihood of the professionals we need to take care of us?

Of course, every lawsuit involves some uncertainty. But judging medical malpractice requires second guessing of dozens, perhaps hundreds, of subtle factors that go into a complex professional judgment. How does the patient look? How old is the patient? How strong? What is the family history? A recent study in the northwest concluded that, on average, AIDS patients did not survive as long if treated by doctors with limited experience with the disease. Should they all be sued?

If fault is an elusive concept, damages can be completely arbitrary. Vidmar observes that the large verdicts are relatively unusual. But what solace is that to a doctor when the process server strolls into the waiting room with a summons and complaint seeking $10 million? Doctors are sued not only for concrete damages, such as lost wages or the cost of remedial medical care, but for immeasurable items like "pain and suffering" and "punitive damages." Vidmar asserts that these unquantifiable damages have been available "for centuries." In fact, they were extremely rare until the last few decades.

And on what basis does a jury decide to sock it to a doctor? Vidmar reprints a juror's account of a malpractice case, involving a boy with a serious hereditary condition whose operation went awry for reasons that aren't entirely clear. The boy's life was saved by virtue of the heroic work of one of the attending surgeons, who, along with others, was then sued. The jury came



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back with a $26 million jury verdict for the boy, apparently because jurors were angry at defense tactics. Vidmar tells this story to illustrate jury deliberations and to offer the comfort that the judge reduced the verdict to only $5 million. But the story better illustrates how impossible the system is to understand or predict.

Facing death, someone once said, sharpens the mind. The prospect of economic death sharpens doctors' minds in a way that costs the rest of us billions. Knowing that an honest mistake could cost them millions, doctors practice defensive medicine: They conduct extra tests, procedures, and operations mainly to provide a defense in a feared lawsuit. The accumulated costs of defensive medicine are hard to calculate, but the range has been estimated from $25 billion to more than $200 billion per year—that is, between 0.5 to 5 percent of the gross domestic product. At one New York hospital, an internal survey of doctors indicated that up to 25 percent of medical services performed were unnecessary or duplicative.

The total cost of medical malpractice suits in 1991 was $9.1 billion, only a fraction of the estimates of defensive medicine. Why this extreme over-reaction by doctors? They're not thinking rationally, Vidmar says.

But doctors aren't irrational. They're scared because they believe the system is random. Most people don't like to play Russian roulette, even if the odds of getting the bullet are only one in 200. Those are the odds of a test pilot, not a caregiver.

This doesn't mean I think doctors are perfect. But scaring them half to death is counterproductive. And the problem is only getting worse. Average malpractice awards rose 400 percent in little over a decade.

So what do we do? Doctors shouldn't be subjected to random and nearly infinite claims, and bad doctors do need to be held accountable. A trade-off is obvious: The medical profession should provide a vigorous mechanism for monitoring and disciplining doctors—the system now is almost nonexistent. In exchange, doctors should be protected against unreasonable suits and awards, with higher standards for liability and a limit on punitive and pain-and-suffering damages. Some worry that caps on damages would sometimes be unfair. What about the patient who has truly been wronged? There's a simple solution: Judges should have the discretion to waive the caps in cases of egregious malpractice.

Juries, as Vidmar states, generally do their job well. But the ultimate measure of a system of justice is not whether any individual component works well, but whether the people trust it to be fair and reasonable. By that measure, ours fails. *Philip K. Howard is author of* The Death of Common Sense.

No Matter How Loud I Shout: A Year in the Life of Juvenile Court
Edward Humes
Simon & Schuster, $23
By Patricia Cohen

Fifteen-year-old Tonya Kline had been caught skipping school and shoplifting repeatedly, but it was a burglary attempt that landed the curly-haired blonde before South Carolina Judge Wayne Creech this past December. Instead of the familiar sentencing alternatives, however, Judge Creech opted for a rather novel punishment: Kline would be chained to her mother 24 hours a day, seven days a week, for a month. Kline's offenses are not the worst that teens offer up nor is her punishment the most severe, but the sentence epitomizes the absolute desperation of the juvenile justice system. The fact that her mother had to be hospitalized after three weeks for a drug overdose sparked by the stress of being leashed to her daughter serves as a perversely fitting metaphor: The system, literally at its wit's end, sinks into collapse, giving up long before its charges are ready to.

A new Justice Department study underscores the disturbing increase and severity of juvenile crime. The number of juveniles arrested for serious offenses rose from 83,400 in 1983 to 129,600 in 1992; the number of murders committed by teens doubled. Currently, a quarter of all weapons arrests are of teenagers, and the worst is yet to come. The expected bulge in the teenage population presents a "ticking violent crime bomb," the nonpartisan Council on Crime in America recently warned.

It's not surprising that growing panic over an explosion of Clockwork Orange Droogs has sparked competition for the toughest crackdown. Just before Christmas, New York Governor George Pataki proposed new legislation to lengthen juvenile sentences and put more minors in adult prisons. Hawaii is now the only state in the union that treats all kids under 16 as juveniles.

These legal shifts do not result only from political grandstanding; they reflect a transformation in what people believe to be teenagers' very nature. In the past, juvenile delinquents were primarily seen as children temporarily gone astray. If anything, the thrust of the 20th century's juvenile justice system has been to protect 13, 14, or 15-year-olds so that they wouldn't be forever dogged by youthful indiscretions. Now teenagers are seen as scarier, more vicious and more impulsive than adults, capable of serenely blasting someone's head off for wearing the wrong jacket or the wrong expression. The juvenile justice system is returning to a 19th century model in which the crime, not the kid, determines the treatment, and there is diminishing effort to differentiate between youths who are salvageable and those who are not.

Edward Humes tries to capture this crisis in his new book, *No Matter How Loud I Shout: A Year in the Life of Juvenile Court*. A Pulitzer Prize-winning reporter, Humes has written a moving account of California's juvenile justice system, which is about a step away from collapsing. Humes clearly thinks the system is needlessly discarding worthwhile kids; still, his carefully researched book is difficult to pigeonhole as conservative or liberal.

In many ways the book reads like a pilot for a Michael Crichton TV series.

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There's the dedicated prosecutor who stays up all night prepping for a big case in the bathroom so as not to disturb her sleeping husband; the crotchety and idiosyncratic judge who launches a quixotic campaign to reform the system and touches off an internal administrative war; the street-wise probation officer who buys a rundown Jaguar so she can impress her charges that a legit life can payoff. The supporting cast is rounded out by an army of incompetent and insensitive bureaucrats, lawyers, and judges working in an underfunded and overwhelmed system, and, of course, the kids, whose stories careen by in an "ER"-style blur but still manage to touch a nerve. Humes has produced a thoughtful, nuanced work, set apart from the flood of wonkish policy books by his often beautiful prose.

Humes focuses on California's juvenile system, the nation's largest. He introduces us to 15-year-old Ronald Duncan, a skinny five-feet five-inch kid from a middle-class home, with no criminal record, who took a sawed-off shotgun and shot his employers at point-blank range as they were driving him home.The take? A few hundred dollars and revenge for their having "dissed" him. But because Ronald was nine days shy of his 16th birthday the longest sentence he could receive was eight years; he will be set free at 25 no matter what.

While you're still raging at the lunacy of a system that will soon release a monster, you meet Geri Vance. This 16-year-old came from a home where drugs, prostitutes, guns, and bloody beatings were more familiar than "Sesame Street." Apparently forced to participate in a botched motel robbery attempt by two drug-dealing gangsters, Geri ends up getting arrested instead of getting away when he brings his wounded cohort to the hospital.

But Geri had already turned 16. And so despite his determination to reform, his excellent record in juvenile hall, and the fact that he had not fired his gun, he was treated as an adult; that meant he faced potential life imprisonment without parole because his partner died from the gunshot inflicted by one of the potential victims (Geri got lucky: A plea bargain reduced his sentence to 12 years maximum, with much of it served in a youth prison).

Ronald and Geri are two cases that made it through the so-called "Funnel." Although some 2.3 million kids under 18 are arrested in the U.S. in a year, three out of four will walk away as if nothing happened. Their cases will be dismissed because they are too difficult to try or too minor for a system at the brink of a breakdown. The result is that a small core of repeat offenders—in California, 16 percent—account for the majority of crimes committed, but these repeat offenders only receive meaningful punishment when their offenses have progressed to the most serious level. Until then, they are laughing at the system's toothlessness. Humes says an experienced judge can tell how a case will turn out by just looking at the size of a file. "When a file is a sixteenth of an inch, it will almost certainly end in probation. A quarter to a half inch, add some time in the hall.... An inch or so in thickness and the likely sentence is one of the county's two dozen juvenile camps. And over two inches, the kid is probably a Sixteen Percenter."

The system is trapped between two often contradictory mandates: to punish and to heal. Even for those kids who have a good chance of being rehabilitated, there are achingly few facilities with the necessary counseling and educational services or enough competent probation officers to haul kids back when they step out of line. Experienced prosecutors and judges agree that the best chance of turning a kid around is way before age 13, when he is just starting to cut school or brought in for a very minor first offense. Yet the system ignores these cases, instead expending its resources on the worst offenders.

Very early prevention programs for kids who fit the high-risk profile can produce positive results. (The Big Brother/Big Sister program, for instance, dramatically reduced youths' school absenteeism, assaults, and first-time drug use.) And when those fail, predictable and meaningful punishment must be promptly delivered to transgressors. But enthusiasm for gutting the juvenile courts outweighs support for reforming them. Treating all juveniles as adults would take care of the Ronald Duncans and is a far easier sell; money for jails and cops is more readily available than for squishy prevention programs for kids who cut school, even though the latter may prove more cost-effective in the long run. But this approach means discarding a mind-numbing number of kids who have the potential to be saved.

Humes is clearly frustrated that tough-guy rhetoric overpowers the talk of reform. But his approach has unresolved paradoxes as well. The juvenile system's shorter penalties, for example, encourage older criminals to enlist juveniles in crimes. Sometimes there is a trade-off between punishment and rehabilitation. And, as Humes acknowledges, a child's moral sensibility is well-established by the preteen years. That means that attempts to turn around teenagers are more formidable. The California Department of Justice found that whether a juvenile offender was sent home or sent through the juvenile justice system's full range of services, the recidivism rates were exactly the same. Probation, alternative incarceration, or juvenile hall didn't seem to make a bit of difference.

The cruel realities of juvenile courts and electoral politics may lead to a conclusion that we're loath to accept: There's only a small lifeboat, and our best hope may be to concentrate on the youngest generation when they first show signs of high-risk behavior and abandon hopes of saving teens already working their way through the funnel. As it is, we have a juvenile justice system that does too little to rehabilitate when there is still a chance to save kids—and too little to punish when there is not.

Patricia Cohen is a senior features editor at Rolling Stone *magazine.*

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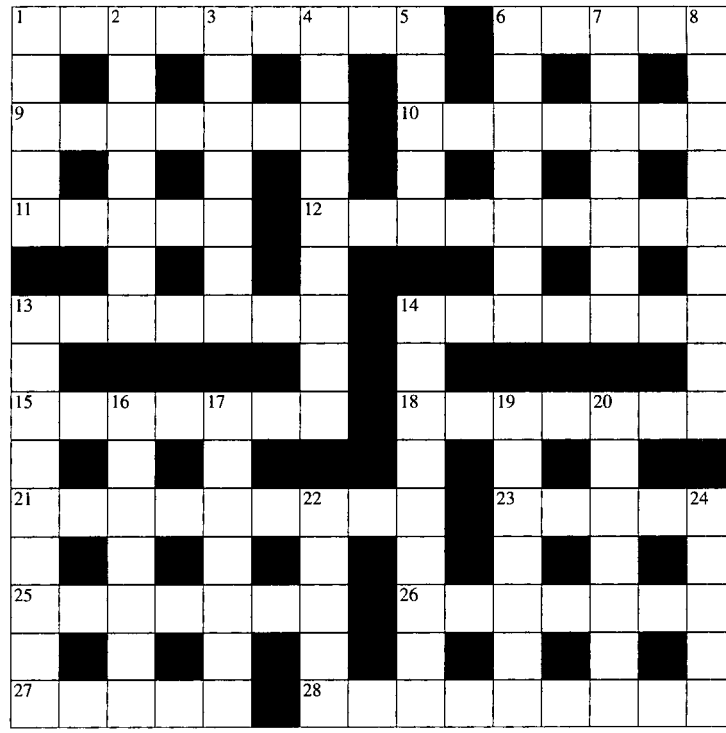
Political Puzzle

BY JOHN BARCLAY

The numbers indicate the number of letters and words—thus (2,3) means a two-letter word followed by a three-letter word. Groups of letters, such as USA, are treated as one word.



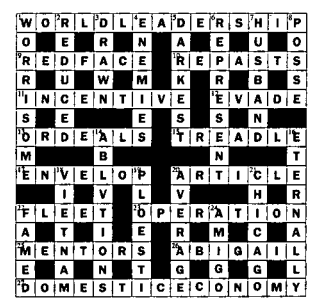
ACROSS

1. 1996 events rip armies apart. (9)
6. Key sports personality in San Francisco achievement. (5)
9. Advocates working first in strata. (7)
10. It's tile arrangement for snob. (7)
11. Food for his touring around this country. (5)
12. Beverage for bad, bad ferret. (5,4)
13. Particular 6 Across positioned near top. (7)
14. Indicated negative in significant achievement. (7)
15. Election news upset Turner before first session. (7)
18. Disease is short hit between insect and fire. (7)
21. Latin info circulated for economic concern. (9)
23. Constabulary took in top performer and set example. (5)
25. Permanent sea legs established. (7)
26. Grand without a place in danger. (7)
27. Mixed asset for majority measure. (5)
28. Crazy clone's tie choices. (9)

DOWN

1. Samples Eastern Europeans in audience. (5)
2. Twin sat loosely describing non-event. (2,5)
3. Studio prepared trial with ease. (7)
4. Tricky notes following almost behind closed doors. (9)
5. Coed graduate from Queensland. (5)
6. Study about waste for former New York governor. (7)
7. Food menial served before tea. (7)
8. Rousing Theodore before ten is unusual. (9)
13. Supporters cured star's pain. (9)
14. Water channel set up in a dipper. (5,4)
16. Material determined fat fate. (7)
17. Audience developed red ears. (7)
19. *Numero uno*, either way. (3,4)
20. Spanish dick finds king, for example, in Latin city. (7)
22. Heirs' point of disagreement. (5)
24. Handouts for prominent Republicans. (5)

Answers to last month's puzzle:



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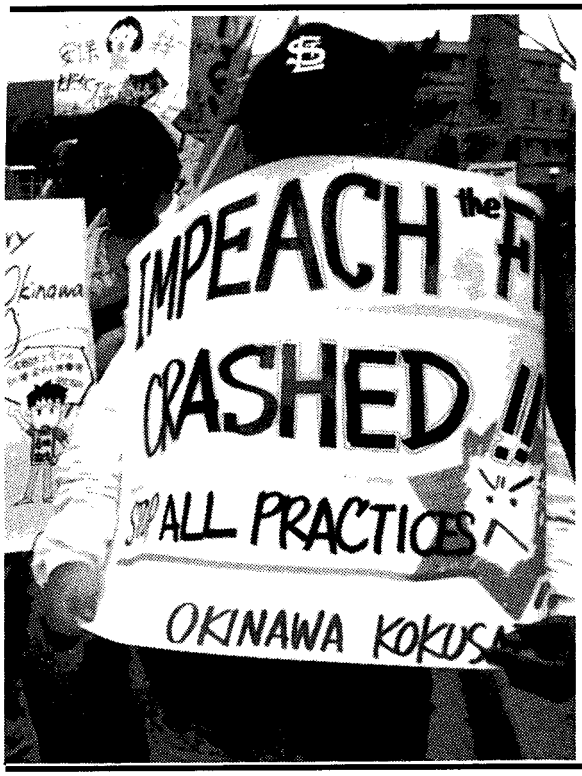

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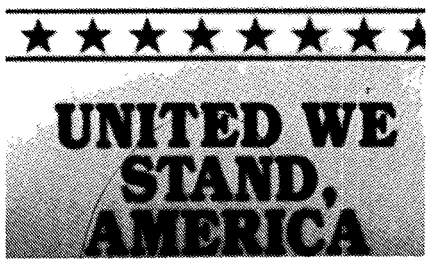

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